

**DEPARTMENTS OF COMMERCE, JUSTICE, AND
STATE, THE JUDICIARY, AND RELATED
AGENCIES APPROPRIATIONS FOR 1997**

HEARINGS

BEFORE A

**SUBCOMMITTEE OF THE
COMMITTEE ON APPROPRIATIONS
HOUSE OF REPRESENTATIVES
ONE HUNDRED FOURTH CONGRESS
SECOND SESSION**

**SUBCOMMITTEE ON THE DEPARTMENTS OF COMMERCE, JUSTICE, AND
STATE, THE JUDICIARY, AND RELATED AGENCIES**

HAROLD ROGERS, Kentucky, *Chairman*

JIM KOLBE, Arizona

CHARLES H. TAYLOR, North Carolina

RALPH REGULA, Ohio

MICHAEL P. FORBES, New York

ALAN B. MOLLOHAN, West Virginia

DAVID E. SKAGGS, Colorado

JULIAN C. DIXON, California

NOTE: Under Committee Rules, Mr. Livingston, as Chairman of the Full Committee, and Mr. Obey, as Ranking
Minority Member of the Full Committee, are authorized to sit as Members of all Subcommittees.

**JIM KULIKOWSKI, THERESE MCAULIFFE, JENNIFER MILLER, and KIM WOLTERSTORFT,
*Subcommittee Staff***

PART 2

**Justification of the Budget Estimates
DEPARTMENT OF JUSTICE**



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**DEPARTMENT OF JUSTICE
SUMMARY OF BUDGET AUTHORITY BY APPROPRIATION
(DOLLARS IN THOUSANDS)**

APPROPRIATION	1995			1996			1997		
	DIRECT	VSOP	TOTAL	DIRECT	VSOP	TOTAL	DIRECT	VSOP	TOTAL
GENERAL ADMINISTRATION	61,341	17,400	78,741	74,382	0	74,382	81,386	0	81,386
EXECUTIVE OFFICE FOR IMMIGRATION REVIEW	86,873	0	86,873	97,472	47,780	145,252	71,888	52,847	124,735
OFFICE OF THE PAROLE ATTORNEY	1,317	0	1,317	1,414	0	1,414	1,815	0	1,815
OFFICE OF THE INSPECTOR GENERAL	30,464	0	30,464	30,800	0	30,800	51,949	0	51,949
COMMUNITY POLICING	0	1,288,808	1,288,808	0	1,323,000	1,323,000	0	1,878,155	1,878,155
HEALTH CARE FRAUD	0	0	0	(20,000)	0	(20,000)	(20,000)	0	(20,000)
WREED & REED FUND	13,458	0	13,458	0	0	0	0	0	0
COUNTERTERRORISM FUND	54,226	0	54,226	16,888	0	16,888	8,888	0	8,888
U.S. PAROLE COMMISSION	7,450	0	7,450	5,448	0	5,448	8,301	0	8,301
GENERAL LEGAL ACTIVITIES	416,828	4,800	421,628	413,928	7,981	421,909	450,277	7,750	458,027
ANTITRUST DIVISION	48,832	0	48,832	30,521	0	30,521	25,431	0	25,431
U.S. ATTORNEYS	875,882	8,800	884,682	885,508	30,000	915,508	946,379	44,408	990,787
U.S. MARSHALS	388,805	0	388,805	423,348	25,000	448,348	488,562	25,477	514,039
FEDERAL PRISON DETENTION	288,753	0	288,753	281,820	0	281,820	405,262	0	405,262
FEDERAL ALTERNATIVE DISPOSITION	0	0	0	0	0	0	2,000	0	2,000
COMMUNITY RELATIONS SERVICE	30,513	0	30,513	5,519	0	5,519	5,502	0	5,502
U.S. TRUSTEES	78,587	0	78,587	58,188	0	58,188	61,764	0	61,764
ASSETS FOR FUND CURR BUD AUTH	30,000	0	30,000	30,000	0	30,000	30,000	0	30,000
INTERAGENCY CRIME DRUG ENF TASK FORCE	374,843	0	374,843	359,843	0	359,843	372,017	0	372,017
FEDERAL BUREAU OF INVESTIGATION	2,279,814	0	2,279,814	2,211,183	218,300	2,429,483	2,548,583	133,123	2,681,706
FEDERAL TELEPHONE CARRIER COMPLIANCE	0	0	0	0	0	0	100,000	0	100,000
FEDERAL HEALTH CARE FRAUD ENFORCEMENT	0	0	0	147,000	0	147,000	(54,000)	0	(54,000)
FBI CONSTRUCTION	0	0	0	87,588	0	87,588	86,878	0	86,878
DRUG ENFORCEMENT ADMINISTRATION	780,186	0	780,186	745,888	80,000	825,888	818,038	136,000	954,038
IMMIGRATION AND NATURALIZATION SVC	1,101,308	100,800	1,202,108	1,384,625	316,188	1,700,813	1,883,814	454,188	2,338,002
INS - BORDER CONTROL	0	0	0	0	0	0	0	0	0
INS - IMMIGRATION EMERGENCY FUND	30,000	0	30,000	0	0	0	0	0	0
INS - CONSTRUCTION	50,000	0	50,000	25,000	0	25,000	5,541	0	5,541
FEDERAL PRISON SYSTEM	2,308,420	0	2,308,420	2,567,578	13,500	2,581,078	2,888,318	25,224	2,913,542
SALARIES AND EXPENSES	10,302	0	10,302	0	0	0	0	0	0
NAT. INSTITUTE OF CORRECTIONS	276,301	0	276,301	334,728	0	334,728	295,700	0	295,700
BUILDINGS AND FACILITIES	2,588,823	0	2,588,823	2,902,308	13,500	2,915,808	3,184,016	25,224	3,209,240
TOTAL FEDERAL PRISON SYSTEM	2,588,823	0	2,588,823	2,902,308	13,500	2,915,808	3,184,016	25,224	3,209,240
OFFICE OF JUSTICE PROGRAMS	102,852	3,085	105,937	104,777	800	105,577	122,507	900	123,407
JUSTICE ASSISTANCE	62,000	450,000	512,000	368,000	147,000	515,000	0	535,000	535,000
STATE AND LOCAL LAW ENFORCEMENT	138,300	0	138,300	138,300	0	138,300	140,200	0	140,200
JUVENILE JUSTICE PROGRAMS	11,250	0	11,250	4,500	8,800	13,300	4,500	7,500	12,000
VICTIMS OF CHILD ABUSE ACT	0	88,000	88,000	0	25,000	25,000	0	50,000	50,000
CRIMINAL RECORDS UPGRADE	0	24,256	24,256	0	617,500	617,500	0	630,000	630,000
STATE CORRECTIONAL GRANTS	0	11,640	11,640	0	100,000	100,000	0	100,000	100,000
DRUG COURT PROGRAM	0	25,740	25,740	0	187,700	187,700	0	188,850	188,850
VIOLENCE AGAINST WOMEN ACT	0	0	0	0	0	0	0	0	0
OFFICE OF PREVENTION COUNCIL	0	0	0	0	0	0	0	0	0
STATE CRIMINAL ALIEN ASSISTANCE PROG	0	138,700	138,700	0	300,000	300,000	0	330,000	330,000
STATE PRISON DRUG TREATMENT	0	0	0	0	27,000	27,000	0	38,000	38,000
ASSISTING COURTS JUVENILE OFFENDER	0	0	0	0	0	0	0	28,000	28,000
YOUTH ACADEMIES	0	0	0	0	0	0	0	8,000	8,000
OTHER CRIME CONTROL PROGRAMS	0	1,500	1,500	0	0	0	0	0	0
PREVENTION	0	0	0	0	11,200	11,200	0	8,206	8,206
STATE AND LOCAL LAW ENFORCEMENT	0	0	0	0	1,500	1,500	0	3,500	3,500
FEDERAL	0	1,500	1,500	0	0	0	0	0	0
SUBTOTAL	0	1,500	1,500	0	12,700	12,700	0	9,706	9,706
TOTAL OFFICE OF JUSTICE PROGRAMS	315,322	743,885	1,059,207	638,477	1,404,800	2,043,277	267,297	1,924,186	2,191,483
FOREIGN "LAWYER" COMMISSION	2,872	0	2,872	2,134	0	2,134	2,200	0	2,200
FOREIGN PUB EDUCATION FUND	830	0	830	830	0	830	878	0	878
FOREIGN PUB EDUCATION FUND	5,000	0	5,000	0	0	0	0	0	0
FOREIGN PUB EDUCATION FUND	2,055	0	2,055	2,886	0	2,886	3,000	0	3,000
FOREIGN PUB EDUCATION FUND	0	0	0	0	0	0	0	30,000	30,000
SUBT. DISCRETIONARY AUTH.	8,608,264	2,327,708	10,935,972	3,625,888	14,704,470	18,330,358	11,712,722	4,785,258	16,497,980
FEES AND EXPENSES OF WITNESSES	75,075	0	75,075	86,000	0	86,000	100,700	0	100,700
PSOS	27,845	0	27,845	26,474	0	26,474	30,126	0	30,126
FOREIGNER CHANGE	12,300	0	12,300	13,500	0	13,500	9,500	0	9,500
FOREIGNER CHANGE	45,000	0	45,000	0	0	0	0	0	0
SUBT. MANDATORY AUTHORITY	140,000	0	140,000	126,874	0	126,874	140,326	0	140,326
SUBCOMMITTEE ON	0	0	0	0	0	0	0	0	0
APPROPRIATIONS JURISDICTION	10,088,904	2,327,708	12,416,612	10,776,501	3,625,888	14,402,389	11,853,070	4,785,258	16,638,328
DRUG MEDICAL FEES	23,800	0	23,800	44,181	0	44,181	48,888	0	48,888
U.S. TRUSTEES	414,258	0	414,258	414,381	0	414,381	403,000	0	403,000
ASSETS FOR FUND PERM BUD AUTH	38,285	0	38,285	47,241	0	47,241	52,824	0	52,824
OVERSIGHT CONTROL FEE	305,287	0	305,287	344,572	0	344,572	378,864	0	378,864
IMMIGRATION USER FEE	0	0	0	7,300	0	7,300	11,700	0	11,700
ENFORCEMENT FINES	2,806	0	2,806	1,823	0	1,823	1,883	0	1,883
IMMIGRATION LEGALIZATION	358,844	0	358,844	538,588	0	538,588	511,081	0	511,081
IMMIGRATION EXAMINATIONS FEE	850	0	850	5,985	0	5,985	11,054	0	11,054
LAND BORDER INSPECTION FEE	7,245	0	7,245	8,358	0	8,358	8,613	0	8,613
BROADBAND BORDER DETENTION FUND	156,540	0	156,540	231,000	0	231,000	508,543	0	508,543
CRIME VICTIM FUND	1,263,978	0	1,263,978	1,887,882	0	1,887,882	1,882,423	0	1,882,423
TOTAL DEPARTMENT OF JUSTICE	11,422,362	2,327,708	13,750,070	12,408,183	3,625,888	16,034,071	13,845,483	4,785,258	18,630,741

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DEPARTMENT OF JUSTICE	K-10.2			K-10.3			K-10.4			K-10.5			K-10.6			K-10.7			K-10.8			K-10.9			K-10.10			K-10.11			K-10.12			K-10.13			K-10.14			K-10.15			K-10.16			K-10.17			K-10.18			K-10.19			K-10.20			K-10.21			K-10.22			K-10.23			K-10.24			K-10.25			K-10.26			K-10.27			K-10.28			K-10.29			K-10.30			K-10.31			K-10.32			K-10.33			K-10.34			K-10.35			K-10.36			K-10.37			K-10.38			K-10.39			K-10.40			K-10.41			K-10.42			K-10.43			K-10.44			K-10.45			K-10.46			K-10.47			K-10.48			K-10.49			K-10.50			K-10.51			K-10.52			K-10.53			K-10.54			K-10.55			K-10.56			K-10.57			K-10.58			K-10.59			K-10.60			K-10.61			K-10.62			K-10.63			K-10.64			K-10.65			K-10.66			K-10.67			K-10.68			K-10.69			K-10.70			K-10.71			K-10.72			K-10.73			K-10.74			K-10.75			K-10.76			K-10.77			K-10.78			K-10.79			K-10.80			K-10.81			K-10.82			K-10.83			K-10.84			K-10.85			K-10.86			K-10.87			K-10.88			K-10.89			K-10.90			K-10.91			K-10.92			K-10.93			K-10.94			K-10.95			K-10.96			K-10.97			K-10.98			K-10.99			K-10.100			K-10.101			K-10.102			K-10.103			K-10.104			K-10.105			K-10.106			K-10.107			K-10.108			K-10.109			K-10.110			K-10.111			K-10.112			K-10.113			K-10.114			K-10.115			K-10.116			K-10.117			K-10.118			K-10.119			K-10.120			K-10.121			K-10.122			K-10.123			K-10.124			K-10.125			K-10.126			K-10.127			K-10.128			K-10.129			K-10.130			K-10.131			K-10.132			K-10.133			K-10.134			K-10.135			K-10.136			K-10.137			K-10.138			K-10.139			K-10.140			K-10.141			K-10.142			K-10.143			K-10.144			K-10.145			K-10.146			K-10.147			K-10.148			K-10.149			K-10.150			K-10.151			K-10.152			K-10.153			K-10.154			K-10.155			K-10.156			K-10.157			K-10.158			K-10.159			K-10.160			K-10.161			K-10.162			K-10.163			K-10.164			K-10.165			K-10.166			K-10.167			K-10.168			K-10.169			K-10.170			K-10.171			K-10.172			K-10.173			K-10.174			K-10.175			K-10.176			K-10.177			K-10.178			K-10.179			K-10.180			K-10.181			K-10.182			K-10.183			K-10.184			K-10.185			K-10.186			K-10.187			K-10.188			K-10.189			K-10.190			K-10.191			K-10.192			K-10.193			K-10.194			K-10.195			K-10.196			K-10.197			K-10.198			K-10.199			K-10.200			K-10.201			K-10.202			K-10.203			K-10.204			K-10.205			K-10.206			K-10.207			K-10.208			K-10.209			K-10.210			K-10.211			K-10.212			K-10.213			K-10.214			K-10.215			K-10.216			K-10.217			K-10.218			K-10.219			K-10.220			K-10.221			K-10.222			K-10.223			K-10.224			K-10.225			K-10.226			K-10.227			K-10.228			K-10.229			K-10.230			K-10.231			K-10.232			K-10.233			K-10.234			K-10.235			K-10.236			K-10.237			K-10.238			K-10.239			K-10.240			K-10.241			K-10.242			K-10.243			K-10.244			K-10.245			K-10.246			K-10.247			K-10.248			K-10.249			K-10.250			K-10.251			K-10.252			K-10.253			K-10.254			K-10.255			K-10.256			K-10.257			K-10.258			K-10.259			K-10.260			K-10.261			K-10.262			K-10.263			K-10.264			K-10.265			K-10.266			K-10.267			K-10.268			K-10.269			K-10.270			K-10.271			K-10.272			K-10.273			K-10.274			K-10.275			K-10.276			K-10.277			K-10.278			K-10.279			K-10.280			K-10.281			K-10.282			K-10.283			K-10.284			K-10.285			K-10.286			K-10.287			K-10.288			K-10.289			K-10.290			K-10.291			K-10.292			K-10.293			K-10.294			K-10.295			K-10.296			K-10.297			K-10.298			K-10.299			K-10.300			K-10.301			K-10.302			K-10.303			K-10.304			K-10.305			K-10.306			K-10.307			K-10.308			K-10.309			K-10.310			K-10.311			K-10.312			K-10.313			K-10.314			K-10.315			K-10.316			K-10.317			K-10.318			K-10.319	
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(Dollars in thousands)

DATE OF REPORT		DATE OF DATA		DATE OF ANALYSIS		DATE OF REVIEW		DATE OF APPROVAL		DATE OF SIGNATURE	
1	2	3	4	5	6	7	8	9	10	11	12
13	14	15	16	17	18	19	20	21	22	23	24
25	26	27	28	29	30	31	32	33	34	35	36
37	38	39	40	41	42	43	44	45	46	47	48
49	50	51	52	53	54	55	56	57	58	59	60
61	62	63	64	65	66	67	68	69	70	71	72
73	74	75	76	77	78	79	80	81	82	83	84
85	86	87	88	89	90	91	92	93	94	95	96
97	98	99	100	101	102	103	104	105	106	107	108
109	110	111	112	113	114	115	116	117	118	119	120
121	122	123	124	125	126	127	128	129	130	131	132
133	134	135	136	137	138	139	140	141	142	143	144
145	146	147	148	149	150	151	152	153	154	155	156
157	158	159	160	161	162	163	164	165	166	167	168
169	170	171	172	173	174	175	176	177	178	179	180
181	182	183	184	185	186	187	188	189	190	191	192
193	194	195	196	197	198	199	200	201	202	203	204
205	206	207	208	209	210	211	212	213	214	215	216
217	218	219	220	221	222	223	224	225	226	227	228
229	230	231	232	233	234	235	236	237	238	239	240
241	242	243	244	245	246	247	248	249	250	251	252
253	254	255	256	257	258	259	260	261	262	263	264
265	266	267	268	269	270	271	272	273	274	275	276
277	278	279	280	281	282	283	284	285	286	287	288
289	290	291	292	293	294	295	296	297	298	299	300
301	302	303	304	305	306	307	308	309	310	311	312
313	314	315	316	317	318	319	320	321	322	323	324
325	326	327	328	329	330	331	332	333	334	335	336
337	338	339	340	341	342	343	344	345	346	347	348
349	350	351	352	353	354	355	356	357	358	359	360
361	362	363	364	365	366	367	368	369	370	371	372
373	374	375	376	377	378	379	380	381	382	383	384
385	386	387	388	389	390	391	392	393	394	395	396
397	398	399	400	401	402	403	404	405	406	407	408
409	410	411	412	413	414	415	416	417	418	419	420
421	422	423	424	425	426	427	428	429</			

1778 reflects the additional 100 FTE that were needed in the 1964 emergency amendment. In Notes in West Virginia.

4 Includes \$4,800,000 from the J.J. Program. Excludes \$800,000 which will be transferred from CP to grant administrative functions related to CP grants. Excludes \$2,110,000 for administration of the Corps and health the operation of Office of Prevention Council.

Includes \$2,170,000 for transportation of the crime and 1/2 the transport of victim to Prisoner's Gateway.
 6 Includes \$15,000,000 for Violent Crime Task Force

^b The allowance for the Charitable Contribution Reduction includes a 35% reduction of \$200,000. The House and Senate previously included this reduction as a credit to the Charitable Contribution Reduction. The House and Senate also included a 35% reduction of \$200,000 as a credit to the Charitable Contribution Reduction. The House and Senate also included a 35% reduction of \$200,000 as a credit to the Charitable Contribution Reduction.

14 Distribution of 50% of the 273 Hall Drug Initial Care FTEs have been made to DOJ organizations (DEA-20, FBI-100, INS-1, USMS-1 & EPA-1). The 13 remaining FTEs have been provided to agencies other than Department of Justice (ATF/ treasury-1, CIA-4, USCOT/ transportation-4)

Does not include the 11 FTEs for HOC that were provided to other agencies. The 11 years total in the 1995 President's Request column under HOC. The 1995 FTE transfer has also been taken out.

18 Current estimated revenues: 78,7 029 BUSDAS-362 370EA-278 470EA-1 028 4

17 AFR includes returns attributable to the Seized Asset Deposit Fund

48 Transfers from FPM in the total amount of \$1,000,000 were made to OLA (\$400,000), USA (\$600,000) & ATR (\$60,000) to cover the implementation costs for the Alternative Dispute Resolution program.

A transfer of \$1,700,000.00 to OJA from FEW was made to cover
A further transfer of \$4,000,000 to USA from BO-PALE was made

were associated with the Alternative Action Test Force
not USA personnel expense.

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9

DEPARTMENT OF JUSTICE
Summary of Requirements
Analysis of Overall 1997 Increase
(Dollars in thousands)

GENERAL ACMB	OFFICE OF INSPECTOR GENERAL		ACMB REVIEW AND APPEALS		COUNTER- TERRORISM		U & PAROLE COMMISSION		TOTAL LEGAL ACTIVITIES	
	Pos.	Amount	Pos.	Amount	Pos.	Amount	Pos.	Amount	Pos.	Amount
1996 obligations	507	\$87,182	531	\$50,173	507	\$48,148	0	\$8,779	75	\$7,228
1996 Enacted	627	74,382	525	26,880	416	38,888	0	16,888	63	8,448
Transfers from WCF	0	0	0	0	0	0	0	0	0	21,000
Transfers between accts	0	0	0	0	0	0	0	0	0	0
Other adjustments	0	0	0	0	0	0	0	0	148	13,818
Health Care Fraud - Total	0	[20,000]	0	0	0	0	0	0	0	0
1996 Total Availability	627	74,382	525	26,880	416	38,888	0	16,888	63	8,448
1997 estimate	682	83,256	422	51,848	581	73,411	0	9,888	43	5,201
Change 1997 from 1996	55	8,874	77	22,868	165	34,523	0	(7,210)	(10)	(248)
Adjustments to base										
Transfers to and from other accounts	0	(5,000)	50	5,000	0	0	0	0	188	18,800
Other	0	0	0	0	0	0	0	0	0	0
Adjustment in Positions & Workyears	0	0	0	0	0	0	0	0	0	0
Streamlining	0	0	0	0	0	0	0	0	(43)	0
Transfer for Mail Mgt. Svc	0	124	0	8	(13)	0	0	4	0	127
Increases										
1997 Pay Raise & Locality Pay	0	1,088	0	640	0	832	0	0	102	0
Annuitization of 1996 Locality Pay	0	267	0	88	0	158	0	0	14	0
Annuitization of 1996 Pay Raise	0	374	0	218	0	288	0	0	35	0
Annuitization of 1996 Positions	0	0	0	0	0	3,178	0	0	0	958
Annuitization of 1995 Positions	0	0	0	0	0	0	0	0	0	0
Annuitization of 1995 Supplemental	0	0	0	0	0	0	0	0	0	0
Within-Grade Increases (WGI)	0	828	0	313	0	401	0	0	17	0
\$80 Super. Rate Cont'd	0	0	0	0	0	0	0	0	0	0
Foreign Allowance	0	0	0	0	0	0	0	0	0	0
Accident Compensation	0	0	0	94	0	0	0	0	0	321
Medical Hospital Service Costs	0	0	0	0	0	0	0	0	0	1,001
Travel Mortgage Allowance Rate	0	1	0	3	0	0	0	0	0	952
General Services Admin (GSA) Rent	0	0	0	88	0	808	0	0	50	24,223
Seismic Safety Survey	0	5,133	0	0	0	0	0	0	0	0
Declassification Request	0	488	0	0	0	0	0	0	0	0
Commerce Business Daily	0	3	0	0	0	0	0	0	0	2
Distributed Admin. Support (DAS)	0	0	0	0	0	0	0	0	0	0
General Pricing Level Adjustments	0	148	0	52	0	131	0	0	6	21,782
F.M.S.	0	0	0	0	0	0	0	0	0	900
Increase in Litigation Set. Contract	0	29	0	0	0	0	0	0	0	260
Administrative Salary Increase	0	0	0	0	0	0	0	0	0	4,029
Jail Day Rate Increase	0	0	0	0	0	0	0	0	0	25,732
INTS (PQ) (Lus)	0	0	0	0	0	0	0	0	0	328
Security Guard Services	0	0	0	0	0	0	0	0	0	10
Other	0	0	0	0	1	9,827	0	0	0	40,000
Total mandatory increases	0	8,439	0	1,478	1	14,818	0	0	229	158,568
Decreases										
Nonrecurrent, shifts	0	0	0	0	0	0	0	0	0	(17,913)
Other	0	0	0	0	0	0	0	0	0	(4,000)
Total decreases	0	0	0	0	0	0	0	0	0	(21,913)
Total adjustments to base	0	3,563	50	4,482	1	14,803	0	0	223	126
1997 base	627	77,845	575	35,442	419	53,789	0	16,888	53	8,678
Program changes										
Control File of Legal Engr	0	0	0	0	0	0	0	0	0	0
Southern border & immigration	0	0	15	1,798	182	18,568	0	0	95	20,368
Infrastructure	0	0	0	0	0	0	0	0	23	27,100
Health Care Fraud - Total	0	[23,000]	0	0	0	0	0	0	0	0
Operation & maintenance	0	0	0	0	0	0	0	0	0	0
Other changes	55	5,411	11	14,708	0	34	0	(7,210)	(10)	(248)
Total program changes	55	5,411	11	14,708	182	18,568	0	(7,210)	(10)	(248)
1997 estimate	682	83,256	422	51,848	581	73,411	0	9,888	43	5,201
Change 1997 from 1996	55	8,874	77	22,868	165	34,523	0	(7,210)	(10)	(248)
Discretionary/Mandatory Split										
Discretionary	682	83,256	422	51,848	581	73,411	0	9,888	43	5,201
Mandatory	0	0	0	0	0	0	0	0	0	110,292

1/ Funding proposed for later in fiscal year based on enactment of the Health Care Fraud & Prevention Act of 1995 & currently being depicted as non-add line item
2/ Transfer of 50 positions from non-reimbursable

DEPARTMENT OF JUSTICE
Summary of Requirements
Analysis of Overall 1997 Increase
(Dollars in thousands)

	FEDERAL CORRECTIONS SYSTEM		INTEGRATED CRIME BRANCH		FEDERAL BUREAU OF INVESTIGATION		BUREAU OF PRISONS		DEPARTMENT OF CORRECTIONS & REHABILITATION		FEDERAL PROBATION SYSTEM	
	1996 Actual	1997 Estimate	1996 Actual	1997 Estimate	1996 Actual	1997 Estimate	1996 Actual	1997 Estimate	1996 Actual	1997 Estimate	1996 Actual	1997 Estimate
1996 obligations	81,174	81,174	22,714	22,714	2,704,229	2,704,229	16,988	16,988	1,418,826	1,418,826	32,375	32,375
1996 Credits	2,695	0	388,843	22,885	2,388,772	2,388,772	5,871	748,888	16,424	1,418,826	32,317	2,802,328
Transfers from WCP	0	0	0	0	22,885	0	0	0	0	0	0	0
Transfers between units	0	0	0	0	0	0	0	0	0	0	0	0
Other adjustments	0	0	0	0	0	0	0	0	0	0	0	0
Health Care Fund - Total	0	0	0	0	0	0	0	0	0	0	0	0
1996 Total Availability	2,695	0	388,843	22,885	2,388,772	2,388,772	5,871	748,888	16,424	1,418,826	32,317	2,802,328
1997 estimate	2,000	30,000	372,817	23,885	2,704,229	2,704,229	5,882	818,038	16,988	1,888,455	32,375	3,164,616
Change 1997 from 1996	(695)	30,000	(15,926)	1,000	315,457	315,457	11	66,150	2,564	469,629	58	362,288
Adjustments to base												
Transfers to and from other accounts	0	0	0	373	103,882	(848)	(58,107)	(43)	(28,311)	0	(8,824)	0
Other	0	16,364	0	0	0	0	0	(281)	0	0	0	0
Advances in Prisons & Workbooks	0	0	0	0	0	0	0	(111)	0	(88)	0	0
Strengthening	0	0	0	0	0	0	0	0	0	0	0	0
Transfer for Mail Mgt Sys.	0	0	0	0	0	0	(111)	0	(38)	0	(101)	0
Increases												
1997 Pay Rates & Locality Pay	0	0	6,280	0	32,720	0	8,882	0	14,827	0	33,458	0
Annuitization of 1986 Locality Pay	0	0	850	0	4,034	0	1,173	0	2,028	0	4,538	0
Annuitization of 1986 Pay Rates	0	0	2,162	0	11,272	0	3,071	0	5,108	0	11,527	0
Annuitization of 1986 Prisons	0	0	0	0	23,885	0	1,348	0	188,784	0	188,784	0
Annuitization of 1986 Probation	0	0	0	0	29,328	0	0	0	0	0	0	0
Annuitization of 1986 Supplemental	0	0	0	0	42,880	0	16,300	0	0	0	0	0
Within-Grade Increases (WGI)	0	0	1,534	0	0	0	0	0	0	0	0	0
880 Staff Rates Centre	0	0	0	0	0	0	0	0	0	0	2,817	0
Foreign Advances	0	0	0	0	87	0	134	0	1	0	0	0
Accident Compensation	0	0	0	0	818	0	886	0	1,620	0	882	0
Medical Hospital Service Costs	0	0	0	0	0	0	0	0	108	0	5,081	0
Travel Message Advances Rate	0	0	303	0	882	0	32	0	173	0	412	0
General Services Admin (GSA) Rent	0	0	0	0	7,788	0	2,712	0	0	0	0	0
Security Safety Survey	0	0	0	0	0	0	0	0	0	0	0	0
Declassification Request	0	0	0	0	0	0	0	0	0	0	0	0
Commercial Business Daily	0	0	0	0	3	0	0	0	2	0	22	0
Distributed Admin. Support (DAS)	0	0	0	0	3,131	0	10,872	0	0	0	0	0
General Pricing Level Adjustments	0	0	843	0	10,708	0	3,138	0	8,775	0	17,896	0
FMS	0	0	0	0	0	0	0	0	0	0	0	0
Increases in Litigation Ref. Control	0	0	0	0	0	0	0	0	0	0	0	0
Administrative Salary increases	0	0	487	0	0	0	0	0	0	0	0	0
Jail Day Rate Increase	0	0	0	0	0	0	0	0	0	0	0	0
INTERPOL, Dues	0	0	0	0	0	0	0	0	0	0	0	0
Security Guard Services	0	0	0	0	0	0	0	0	0	0	0	0
Other	0	0	0	0	0	0	0	0	0	0	0	0
Total mandatory increases	0	0	12,174	0	188,142	0	48,023	0	215,883	0	271,781	0
Decreases												
Nonrecurring Costs	(854)	0	0	0	(74,882)	0	0	0	(104,580)	0	(15,484)	0
Other	0	0	0	0	0	0	0	0	0	0	(28)	(273,738)
Total Decreases	(854)	0	0	0	(74,882)	0	0	0	(104,580)	0	(28)	(273,738)
Total adjustments to base	(854)	16,364	12,174	373	188,142	(848)	(10,215)	(438)	52,845	(88)	24,280	0
1997 base	2,000	16,364	372,817	23,885	2,903,836	2,903,836	4,899	738,673	1,971,671	30,424	2,926,588	0
Program changes												
Control Flow of Legal Drugs	0	0	0	0	0	3	632	0	0	0	0	0
Southwest Border & Immigration	0	0	0	137	14,388	121	24,658	1,306	172,178	0	0	0
Infrastructure	0	0	0	385	50,810	0	57,085	774	44,525	0	0	0
Health Care Fund - Total	0	0	0	(572)	(58,000)	0	0	0	0	0	0	0
Detention & Immigration	0	0	0	0	0	0	0	0	0	1,881	257,417	0
Other changes	0	13,736	0	327	135,225	0	0	0	0	0	0	0
Total program changes	0	13,736	0	745	202,324	124	87,580	1,880	218,884	1,881	257,417	0
1997 estimate	2,000	30,000	372,817	23,885	2,904,229	2,904,229	5,082	818,038	1,988,455	32,375	3,184,005	0
Change 1997 from 1996	(854)	30,000	(15,926)	1,000	315,457	315,457	11	66,150	2,564	469,629	58	362,288
Discretionary/Mandatory Split												
Discretionary	0	0	0	0	0	0	0	0	0	0	0	0
Mandatory	0	0	0	0	0	0	0	0	0	0	0	0

DEPARTMENT OF JUSTICE
Summary of Requirements
As-Ofs of Overall 1997 Increase
(Dollars in thousands)

	OFFICE OF JUSTICE PROGRAMS			TOTAL DIRECT AUTHORITY		VIOLENT CRIME REDUCTION PROGRAMS		TOTAL OTHER AUTHORITY		TOTAL NEW AUTHORITY	
	Pos	Amount	Amount	Pos	Amount	Pos	Amount	Amount	Pos	Amount	
1995 obligations	385	\$354,889	\$23,207	88,217	\$8,984,048	1,977	\$2,088,189	\$1,353,978	80,184	\$13,408,218	
1996 Enacted	372	638,477	30,808	81,580	\$10,721,885	4,079	3,925,980	1,801,217	95,830	18,240,071	
Transfers from WCF	0	0	0	0	43,000	0	0	0	0	43,000	
Transfers between accts.	148	0	0	148	0	(148)	0	0	0	0	
Other adjustments	0	0	0	148	13,818	0	0	86,382	148	96,998	
Health Care Fraud - Total 1/	0	0	0	(511)	(87,000)	0	0	0	(511)	(87,000)	
1996 Total Availability	520	638,477	30,808	81,856	10,778,351	3,931	3,925,989	1,857,369	95,787	18,367,086	
1997 estimate	630	267,297	32,326	91,301	11,853,070	4,483	4,785,258	1,992,423	100,784	18,830,751	
Change 1997 from 1996	110	(586,180)	1,718	4,445	1,074,589	552	859,269	304,854	4,907	2,238,683	
Adjustments to base											
Transfers to and from other accounts	0	(344,000)	0	(98)	(380,429)	88	300,429	0	(30)	0	
Other	0	0	0	0	18,264	0	8,675	270,852	0	263,591	
Adjustment in Positions & Workyears	0	0	0	(281)	0	13	0	0	(268)	0	
Streamlining	0	0	0	(218)	0	0	0	0	(219)	0	
Transfer for Mail Mgt Svc	0	0	0	0	0	0	0	0	0	0	
Increases											
1997 Pay Rise & Locality Pay	0	1,125	0	0	128,952	0	2,877	10,358	0	140,188	
Annualization of 1996 Locality Pay	0	152	0	0	17,317	0	386	1,402	0	19,108	
Annualization of 1996 Pay Rates	0	387	0	0	43,703	0	968	3,567	0	48,256	
Annualization of 1996 Positions	0	0	0	0	412,222	0	0	1,451	0	413,673	
Annualization of 1995 Positions	0	0	0	0	29,308	0	0	0	0	29,308	
Annualization of 1995 Supplemental	0	0	0	0	58,283	0	0	0	0	58,283	
Within-Grade Increases (WGI)	0	264	0	0	11,827	0	4,132	0	0	15,959	
\$60 Suppl Rates- Conting	0	0	0	0	2,017	0	0	0	0	2,017	
Foreign Allowance	0	0	0	0	222	0	0	20	0	242	
Accident Compensation	0	0	0	0	4,171	0	0	570	0	4,741	
Medical Hospital Service Costs	0	0	0	0	8,188	0	0	67	0	8,255	
Travel Message Allowance Rate	0	3	0	0	2,193	0	0	125	0	2,318	
General Services Admin (GSA) Rent	0	820	0	0	36,373	0	0	0	0	36,373	
Seismic Safety Survey	0	0	0	0	5,133	0	0	0	0	5,133	
Declassification Request	0	0	0	0	488	0	0	0	0	488	
Commer's Business Daily	0	1	0	0	36	0	0	0	0	36	
Distributed Admin. Support (DAS)	0	0	0	0	13,803	0	0	8,863	0	20,666	
General Pricing Level Adjustments	0	786	1,718	0	61,338	0	8,016	5,521	0	74,773	
FBIIS	0	0	0	0	500	0	0	0	0	500	
increase in Litigation Spl Contract	0	0	0	0	989	0	0	0	0	989	
Administrative Salary Increase	0	0	0	0	4,511	0	78	0	0	4,589	
Jail Day Rate Increase	0	0	0	0	25,732	0	0	0	0	25,732	
INTERPOL Dvms	0	0	0	0	326	0	0	0	0	326	
Security Guard Services	0	0	0	0	10	0	0	0	0	10	
Other	0	0	0	1	49,027	0	0	0	1	49,027	
Total mandatory increases	0	3,320	1,718	1	912,848	0	37,835	34,078	1	984,551	
Decreases											
nonrecurring Costs	0	0	0	0	(213,484)	0	(11,667)	(67,926)	0	(293,077)	
Other	0	0	0	(28)	(227,230)	0	(18,782)	0	(28)	(244,012)	
Total Decreases	0	0	0	(28)	(440,714)	0	(29,449)	(67,926)	(28)	(537,082)	
Total adjustments to base	0	(584,860)	1,718	(623)	87,789	78	406,490	236,804	(544)	741,063	
1997 base	520	251,787	32,326	91,233	10,876,270	4,010	4,332,459	1,924,403	95,243	17,133,132	
Program changes											
Control Flow of Illegal Drugs	0	0	0	3	832	93	9,900	4,329	98	10,861	
Southwest Border & Immigration	0	0	0	1,837	253,081	218	79,190	47,370	2,055	379,811	
Infrastructure	0	0	0	582	178,510	0	13,715	0	582	192,225	
Health Care Fraud - Total 1/	0	0	0	(572)	(79,000)	0	0	0	(572)	(79,000)	
Detention & incarceration	0	0	0	1,951	257,417	30	1,464	0	1,981	258,881	
Other changes	110	15,500	0	695	296,180	132	552,560	18,521	827	655,041	
Total program changes	110	15,500	0	5,064	978,800	473	452,799	68,020	5,541	1,497,619	
1997 estimate	630	267,297	32,326	96,301	11,853,070	4,483	4,785,258	1,992,423	100,784	18,830,751	
Change 1997 from 1996	110	(586,180)	1,718	4,445	1,074,589	552	859,269	304,854	4,907	2,238,683	
Discretionary/Mandatory Split											
Discretionary	630	267,297	2,200	\$6,301	11,712,742	4,483	4,785,258	0	100,784	18,498,000	
Mandatory	0	0	30,126	0	140,328	0	0	1,992,423	0	2,132,751	

DEPARTMENT OF JUSTICE
Summary of Requirements
Analysis of Overall 1997 Increase
(Dollars in thousands)

	PRE-MERGED FUND FEES	U.S. TRUSTEE SYSTEM FUND	ASSETS FORFEIT FUND	OVER- SIGHT CONTROL FEE	IMMIGRA- TION FEE ACCTS	CRIME VICTIMS FUND	TOTAL OTHER AUTHORITY
	Amount	Amount	Amount	Amount	Amount	Amount	Amount
1996 obligations	\$48,340	\$23,803	\$414,258	\$38,208	\$72,842	\$158,540	\$1,353,978
1996 Enacted	48,282	44,191	414,381	47,241	816,235	230,807	1,801,217
Transfers from WCF	0	0	0	0	0	0	0
Transfers between accts	0	0	0	0	0	0	0
Other adjustments	0	0	0	0	86,382	0	86,382
Health Care Fraud - Total 1/	0	0	0	0	0	0	0
1996 Total Availability	48,282	44,191	414,381	47,241	802,617	230,807	1,687,599
1997 estimate	58,805	49,883	403,000	52,824	919,285	508,540	1,992,423
Change 1997 from 1996	10,523	5,692	(11,381)	5,583	116,668	277,633	304,824
Adjustments to base							
Transfers to and from other accounts	0	0	0	0	0	0	0
Other	0	0	(11,381)	0	4,400	277,633	270,652
Adjustment in Positions & Workyears	0	0	0	0	0	0	0
Streamlining	0	0	0	0	0	0	0
Transfer for Mail Mgt Svc	0	0	0	0	0	0	0
Increases							
1997 Pay Raise & Locality Pay	0	0	0	736	9,823	0	10,559
Annualization of 1996 Locality Pay	0	0	0	100	1,303	0	1,403
Annualization of 1996 Pay Raise	0	0	0	253	3,314	0	3,567
Annualization of 1996 Positions	0	0	0	0	1,451	0	1,451
Annualization of 1995 Positions	0	0	0	0	0	0	0
Annualization of 1995 Supplemental	0	0	0	0	0	0	0
Within-Grade Increases (WGI)	0	0	0	165	3,967	0	4,132
\$80 Suppl Retire Contrib	0	0	0	0	0	0	0
Foreign Allowance	0	0	0	0	20	0	20
Accident Compensation	0	0	0	0	570	0	570
Medical Hospital Service Costs	0	0	0	0	67	0	67
Travel Message Allowance Rate	0	0	0	0	125	0	125
General Services Admin (GSA) Rent	0	0	0	0	0	0	0
Seismic Safety Survey	0	0	0	0	0	0	0
Declassification Request	0	0	0	0	0	0	0
Commerce Business Desk	0	0	0	0	0	0	0
Outsourced Admin Support (OAS)	0	0	0	0	6,863	0	6,863
General Pricing Level Adjustments	0	0	0	0	5,521	0	5,521
F.M.S.	0	0	0	0	0	0	0
Increase in Litigation Spt Contract	0	0	0	0	0	0	0
Administrative Salary Increase	0	0	0	0	0	0	0
Jail Care Rate Increase	0	0	0	0	0	0	0
WTEB/CA, Tulsa	0	0	0	0	0	0	0
Security Guard Services	0	0	0	0	0	0	0
Other	0	0	0	0	0	0	0
Total mandatory increases	0	0	0	1,754	32,824	0	34,078
Decreases							
Nonrecurring Costs	0	0	0	0	(87,926)	0	(87,926)
Other	0	0	0	0	0	0	0
Total decreases	0	0	0	0	(87,926)	0	(87,926)
Total adjustments to base	0	0	(11,381)	1,754	(55,102)	277,633	212,904
1997 base	48,282	44,191	403,000	48,995	871,915	508,540	1,924,403
Program changes							
Control Flow of High Drugs	0	0	0	4,329	0	0	4,329
Southwest Border & Immigration	0	0	0	0	47,370	0	47,370
Infrastructure	0	0	0	0	0	0	0
Health Care Fraud - Total 1/	0	0	0	0	0	0	0
Detention & Incarceration	0	0	0	0	0	0	0
Other changes	10,843	5,678	0	0	0	0	16,521
Total program changes	10,843	5,678	0	4,329	47,370	0	68,020
1997 estimate	58,805	49,883	403,000	52,824	919,285	508,540	1,992,423
Change 1997 from 1996	10,523	5,692	(11,381)	5,583	116,668	277,633	304,824
Discretionary/Mandatory Split							
Discretionary	0	0	0	0	0	0	0
Mandatory	58,805	49,883	403,000	52,824	919,285	508,540	1,992,423

DEPARTMENT OF JUSTICE
Summary of Requirements
Analysis of Current 1987 Increase
(Dollars in thousands)

GENERAL LEGAL ACTIVITIES	ANTITRUST DIVISION		U. S. ATTORNEYS		FOREIGN CLASS SETTLEMENT COMMISSION		U.S. MARSHALS SERVICE		FEDERAL PRISONER DETENTION	
	Pos.	Amount	Pos.	Amount	Pos.	Amount	Pos.	Amount	Pos.	Amount
1986 obligations	3,528	\$411,587	300	\$41,708	8,222	\$673,428	8	\$888	3,854	\$388,188
1986 Enclosed	3,477	401,828	188	17,821	8,328	688,808	8	830	3,873	423,348
Transfers from WOP	0	12,000	0	0	0	0	0	0	0	8,800
Transfers between units	0	0	0	0	0	0	0	0	0	0
Other adjustments	(20)	0	28	3,000	0	0	0	180	0	0
Health Care Fund - Total	0	0	0	0	0	0	0	0	0	0
1986 Total Availability	3,447	413,828	188	20,821	8,328	688,808	8	830	3,873	423,348
1987 estimate	3,458	450,277	189	26,431	8,373	948,278	8	878	4,208	488,562
Change 1987 from 1986	12	36,449	1	5,610	45	259,470	0	48	335	65,214
Adjustments to base										
Transfers to and from other accounts	0	0	0	0	0	0	0	188	18,800	0
Other	0	0	0	0	0	0	0	0	0	0
Adjustment in Position & Workyears	0	0	0	0	0	0	0	0	0	0
Reclassification	0	0	0	0	0	0	0	(43)	0	0
Transfer for Mat Mgt Svc	0	184	0	22	0	10	2	0	(86)	0
Increases										
1987 Pay Rate & Locality Pay	0	8,718	0	1,371	0	11,801	0	22	0	8,383
Annuitization of 1986 Locality Pay	0	786	0	188	0	1,801	0	2	0	882
Annuitization of 1986 Pay Rate	0	1,883	0	471	0	4,088	0	7	0	2,182
Annuitization of 1986 Positions	0	0	0	0	0	901	0	0	0	56
Annuitization of 1986 Positions	0	0	0	0	0	0	0	0	0	0
Annuitization of 1986 Supplemental	0	0	0	0	0	0	0	0	0	0
Within-Grade Increases (NYG)	0	2,808	0	424	0	1,838	0	8	0	2,887
SRD Suppl. Ratey Centre	0	0	0	0	0	0	0	0	0	0
Foreign Allowance	0	0	0	0	0	0	0	0	0	0
Accident Compensation	0	178	0	0	0	40	0	0	100	0
Medical Hospital Service Costs	0	0	0	1	0	0	0	0	0	1,000
Trip Message Allowance Rate	0	26	0	181	0	288	0	0	0	46
General Services Admin (GSA) Rent	0	7,878	0	1,848	0	13,828	0	0	0	0
Seismic Safety Survey	0	0	0	0	0	0	0	0	0	0
Declassification Request	0	0	0	0	0	0	0	0	0	0
Commerce Bureau Daily	0	0	0	0	0	0	0	0	2	0
Distributed Admin. Support (DAS)	0	0	0	0	0	0	0	0	0	0
General Pricing Lower Adjustments	0	1,108	0	348	0	3,038	0	0	1,321	0
FBI-S	0	0	0	0	0	0	0	0	500	0
Increase in Logistics Spcl Contract	0	787	0	80	0	83	0	0	0	0
Administrative Salary Increase	0	0	0	0	0	3,924	0	0	0	0
Net Day Rate Increase	0	0	0	0	0	0	0	0	0	25,752
INTERPOL, L. L. L.	0	328	0	0	0	0	0	0	0	0
Security Guard Services	0	0	0	0	0	0	10	0	0	0
Other	0	0	0	0	0	0	0	0	0	40,000
Total mandatory increases	0	21,268	0	4,888	0	41,293	0	48	14,111	68,732
Decreases										
Reprogramming Costs	0	0	0	0	0	(7,831)	0	0	0	(10,882)
Other	0	0	0	0	0	0	0	0	0	0
Total Decreases	0	0	0	0	0	(7,831)	0	0	0	(10,882)
Total adjustments to base	0	21,268	0	4,888	0	33,462	0	48	14,111	57,850
1987 base	3,447	435,096	188	25,431	8,328	928,881	8	878	3,948	448,222
Program changes										
Control Flow of Illegal Drugs	0	0	0	0	0	0	0	0	0	0
Southern Border & Immigration	0	0	0	0	45	4,238	0	0	8,130	10,000
Infrastructure	0	0	0	0	3	12,238	0	0	20	14,881
Health Care Fund - Total 1r	0	0	0	0	0	0	0	0	0	0
Detention & incarceration	0	0	0	0	0	0	0	0	0	0
Other changes	12	14,828	0	0	0	3,821	0	180	22,548	68,710
Total program changes	12	14,828	0	0	48	20,588	0	180	22,548	78,710
1987 estimate	3,458	450,277	189	25,431	8,373	948,278	8	878	4,208	488,562
Change 1987 from 1986	12	36,449	1	5,610	45	259,470	0	48	335	65,214
Discretionary/Mandatory Split										
Discretionary	3,458	450,277	189	25,431	8,373	948,278	8	878	4,208	488,562
Mandatory	0	0	0	0	0	0	0	0	0	0

DEPARTMENT OF JUSTICE
Summary of Requirements
Analysis of Overall 1997 Increase
(Dollars in thousands)

	FEDERAL EXPENSES OF WITHHELD	COMMUNITY RELATIONS SERVICE	U.S. TRUSTEE SYSTEM FUND	ASSETS FORFEITURE FUND	INDEMNITY COUNSEL	CIVIL LIBERTY FUND	TOTAL LEGAL ACTIVITIES
	Amount	Pos. Amount	Amount	Amount	Amount	Amount	Pos. Amount
1995 obligations	\$84,259	112 \$23,740	\$77,863	\$53,874	\$12,224	\$8,481	18,958 \$2,343,378
1996 Enacted	85,000	41 8,319	86,188	30,000	2,884	0	15,884 2,173,258
Transfers from WCF	0	0	0	0	0	0	0 21,000
Transfers between accounts	0	0	0	0	0	0	0 0
Other adjustments	0	0	0	0	10,616	0	148 13,616
Health Care Fraud - Total	0	0	0	0	0	0	0 0
1996 Total Availability	85,000	41 8,319	86,188	30,000	13,500	0	15,834 2,307,878
1997 estimate	102,702	41 5,502	81,784	30,000	8,500	0	18,284 2,530,157
Change 1997 from 1996	17,702	0 183	3,585	0	(4,000)	0	448 222,282
Adjustments to base							
Transfers to and from							
other accounts	0	0	0	0	0	0	188 18,800
Other	0	0	0	0	0	0	0 0
Adjustment in Positions & Workyears	0	0	0	0	0	0	0 0
Reimbursement	0	0	0	0	0	0	(43) 0
Transfer for Med Mgt Svc	0	0	2	(8)	0	0	0 127
Increases							
1997 Pay Rate & Locality Pay	0	0	78	1,588	0	0	0 26,818
Annulization of 1996 Locality Pay	0	0	18	212	0	0	0 3,638
Annulization of 1996 Pay Rate	0	0	26	840	0	0	0 8,264
Annulization of 1996 Positions	0	0	0	0	0	0	0 959
Annulization of 1995 Positions	0	0	0	0	0	0	0 0
Annulization of 1995 Supplemental	0	0	0	0	0	0	0 0
Wohn-Grade increases (WVG)	0	0	28	797	0	0	0 8,368
\$40 Suppl Rate Contro	0	0	0	0	0	0	0 0
Foreign Allowance	0	0	0	0	0	0	0 0
Accident Compensation	0	0	0	0	0	0	0 321
Medical Incident Service Costs	0	0	0	0	0	0	0 1,001
Travel Message Allowance Rate	0	0	0	48	0	0	0 552
General Services Admin (GSA) Rent	0	0	0	865	0	0	0 24,223
Seismic Safety Survey	0	0	0	0	0	0	0 0
Declassification Request	0	0	0	0	0	0	0 0
Commerce Business Data	0	0	0	0	0	0	0 0
Distributed Admin Support (DAS)	0	0	0	0	0	0	0 0
General Pricing Level Adjustments	15,702	0 39	210	0	0	0	0 21,782
FBIIS	0	0	0	0	0	0	0 500
increase in Litigation Set Control	0	0	0	0	0	0	0 900
Administrative Salary increase	0	0	0	105	0	0	0 4,028
Jail Day Rate increase	0	0	0	0	0	0	0 25,732
FTE PDCO, Lums	0	0	0	0	0	0	0 328
Security Guard Services	0	0	0	0	0	0	0 10
Other	0	0	0	0	0	0	0 40,000
Total mandatory increases	15,702	0 181	4,347	0	0	0	0 168,598
Decreases							
Nonrecurring Fees	0	0	0	0	0	0	0 (17,813)
Other	0	0	0	0	(4,000)	0	0 (4,000)
Total decreases	0	0	0	0	(4,000)	0	0 (21,813)
Total adjustments to base	15,702	0 183	4,338	0	(4,000)	0	128 185,580
1997 base	100,702	41 5,502	82,538	30,000	9,500	0	15,964 2,373,455
Program changes							
Control Fee of Legal Crugs	0	0	0	0	0	0	0 0
Southeast Border & Immigration	0	0	0	0	0	0	95 20,368
Infrastructure	0	0	0	0	0	0	23 27,100
Health Care Fraud - Total	0	0	0	0	0	0	0 0
Conviction & Incarceration	0	0	0	0	0	0	0 0
Other changes	2,000	0 0	(774)	0	0	0	202 100,334
Total program changes	2,000	0 0	(774)	0	0	0	330 158,702
1997 estimate	102,702	41 5,502	81,784	30,000	9,500	0	18,284 2,530,157
Change 1997 from 1996	17,702	0 183	3,585	0	(4,000)	0	448 222,282
Discretionary							
Mandatory	2,000	41 5,502	81,784	30,000	0	0	18,284 2,419,855
	100,702	0 0	0	0	8,500	0	0 110,202

	CORRECTIONAL POLICE SERVICES		ADMIN REVENUE & SAVINGS		GENERAL LEGAL ACTIVITIES		U.S. ATTORNEYS		U.S. MARSHALS SERVICE	
	Fed.	Amount	Fed.	Amount	Fed.	Amount	Fed.	Amount	Fed.	Amount
1990 obligated.....	130	51,188,220	224	517,197	86	82,888	86	54,011	0	80
1990 obligated.....	0	0	0	0	0	0	0	0	0	0
Transfers from WCF.....	0	0	0	0	0	0	0	0	0	0
Transfers between acct's.....	368	0	0	47,700	86	7,801	270	30,000	167	26,000
Other adjustments.....	0	1,808,820	0	0	0	0	0	0	0	0
Health Care Fund - Total 1/.....	0	0	0	0	0	0	0	0	0	0
1990 Total Available.....	288	1,808,820	314	47,700	86	7,801	270	30,000	167	26,000
1997 estimate.....	310	1,978,150	314	52,847	71	7,750	386	44,408	41	26,477
Change 1997 from 1990.....	24	172,160	0	5,147	15	150	116	14,408	174	277
Adjustments to base										
Transfers to and from	0	0	0	0	0	0	0	0	(728)	(8,000)
Other.....	0	0	0	0	0	0	0	0	0	0
Adjustment in Positions & Workyears	0	0	0	0	15	0	0	0	0	0
Supplementing.....	0	0	0	0	0	0	0	0	0	0
Transfer for total Mgt. Fee.....	0	0	0	0	0	0	0	0	0	0
Interest.....	0	0	0	0	0	0	0	0	0	0
1987 Pay Rises & Locality Pay	0	0	0	388	0	80	0	248	0	40
Annuitization of 1988 Locality Pay	0	0	0	80	0	5	0	32	0	0
Annuitization of 1988 Pay Rises	0	0	0	128	0	20	0	82	0	13
Annuitization of 1988 Positions	0	0	0	4,488	0	0	0	3,368	0	0
Annuitization of 1988 Positions	0	0	0	0	0	0	0	0	0	0
Annuitization of 1988 Supplemental	0	0	0	0	0	0	0	0	0	0
Within-Grade Increases (WGI)	0	0	0	0	0	0	0	0	0	0
\$40 Rural Retire Correcs	0	0	0	0	0	0	0	0	0	0
Foreign Allowance	0	0	0	0	0	0	0	0	0	0
Accident Compensation	0	0	0	0	0	0	0	0	0	0
Medical Hospital Service Costs	0	0	0	0	0	0	0	0	0	0
Trip Allowance	0	0	0	0	0	0	0	0	0	0
General Services Admin (GSA) Rent	0	0	0	0	0	0	0	0	0	0
Seismic Safety Survey	0	0	0	0	0	0	0	0	0	0
Decommission Request	0	0	0	0	0	0	0	0	0	0
Commerical Business Days	0	0	0	0	0	0	0	0	0	0
Distributed Admin. Support (DAS)	0	0	0	0	0	0	0	0	0	0
General Pricing Level Adjustments	0	0	0	120	0	72	0	73	0	64
FMS	0	0	0	0	0	0	0	0	0	0
Increase in Legal Self Contract	0	0	0	0	0	0	0	0	0	0
Administrative Salary increase	0	0	0	0	0	0	0	0	0	0
Net City Rate Increase	0	0	0	0	0	0	0	0	0	0
INTERPOL dues	0	0	0	0	0	0	0	0	0	0
Se. Juty Guard Services	0	0	0	0	0	0	0	0	0	0
Other.....	0	0	0	0	0	0	0	0	0	0
Total mandatory increases.....	0	0	0	5,067	0	150	0	3,888	0	142
Decreases.....	0	0	0	0	0	0	0	0	0	0
Nonrecurring Cash.....	0	0	0	0	0	0	0	0	(847)	(11,100)
Other.....	0	0	0	0	0	0	0	0	0	0
Total Decreases.....	0	0	0	0	0	0	0	0	(847)	(11,100)
Total adjustments to base.....	0	0	0	5,067	13	150	0	3,332	(728)	(18,458)
1997 base.....	284	1,803,820	314	52,847	71	7,750	270	33,332	41	

(Dollars in thousands)

	FEDERAL BUREAU OF INVESTIGATION		ORIG. ENFORCEMENT ACTION		IMMIGRATION & NATURALIZATION SERVICE		FEDERAL PRISON SYSTEM		OPC OF JUSTICE PROGRAMS		VCMF TOTAL	
	Pos.	Amount	Pos.	Amount	Pos.	Amount	Pos.	Amount	Pos.	Amount	Pos.	Amount
1990 obligations	0	80	0	80	1,485	820,702	0	80	0	182,181	1,977	82,988,189
1990 Enacted	377	218,300	203	80,000	1,814	316,198	262	13,800	114	3,207,800	4,079	3,925,980
Transfers from WCF	0	0	0	0	0	0	0	0	0	0	0	0
Transfers between accts.	0	0	0	0	0	0	0	0	0	0	0	0
Other adjustments	0	0	0	0	0	0	0	0	0	0	0	0
Health Care Fraud - Total /	0	0	0	0	0	0	0	0	0	0	0	0
1990 Total Availability	377	218,300	203	80,000	1,814	316,198	262	13,800	0	1,824,105	3,931	3,925,980
1997 estimate	0	133,123	941	136,000	1,913	458,168	292	25,224	0	1,824,105	4,483	4,785,256
Change 1997 from 1990	(377)	(85,177)	738	78,000	99	141,970	30	11,724	0	619,805	552	859,269
Adjustments to Debt												
Transfers to and from other accounts	(373)	(23,882)	645	58,107	0	48,011	0	8,803	(80)	388,000	88	380,429
Other	0	0	0	0	0	6,875	0	0	0	0	0	6,875
Adjustment in Positions & Workyears	0	0	0	0	0	0	0	0	0	0	0	13
Reimbursements	0	0	0	0	0	0	0	0	0	0	0	0
Transfer for Intl Mgt Bnc	0	0	0	0	0	0	0	0	0	0	0	0
Increases												
1997 Pay Rates & Locality Pay	0	8	0	188	0	1,702	0	289	0	0	0	2,877
Annuitization of 1996 Locality Pay	0	0	0	25	0	230	0	38	0	0	0	366
Annuitization of 1996 Pay Rates	0	0	0	85	0	588	0	82	0	0	0	988
Annuitization of 1996 Positions	0	85	0	0	0	18,799	0	605	0	0	0	0
Annuitization of 1995 Positions	0	0	0	0	0	0	0	0	0	0	0	0
Annuitization of 1995 Supplemental	0	0	0	0	0	0	0	0	0	0	0	0
Woven-Order Increases (AVG)	0	0	0	0	0	0	0	0	0	0	0	0
\$40 Spouse Retire. Credits	0	0	0	0	0	0	0	0	0	0	0	0
Foreign Allowance	0	0	0	0	0	0	0	0	0	0	0	0
Accident Compensation	0	0	0	0	0	0	0	0	0	0	0	0
Medical Hospital Service Costs	0	0	0	0	0	0	0	0	0	0	0	0
Travel Message Allowance Rate	0	0	0	0	0	0	0	0	0	0	0	0
General Services Admin (GSA) Rent	0	0	0	0	0	0	0	0	0	0	0	0
Seismic Safety Survey	0	0	0	0	0	0	0	0	0	0	0	0
Declassification Request	0	0	0	0	0	0	0	0	0	0	0	0
Commerce Business Day	0	0	0	0	0	0	0	0	0	0	0	0
Distributed Admin Support (DAS)	0	0	0	0	0	0	0	0	0	0	0	0
General Pricing / Level Adjustments	0	1,438	0	0	0	5,986	0	385	0	0	0	8,016
FMS	0	0	0	0	0	0	0	0	0	0	0	0
Increase in Legislation Set Contract	0	0	0	0	0	0	0	0	0	0	0	0
Administrative Salary Increase	0	0	0	0	0	0	0	0	0	0	0	0
NYE RPOD Dues	0	0	0	0	0	0	0	0	0	0	0	0
Security Guard Services	0	0	0	0	0	0	0	0	0	0	0	0
Other	0	0	0	0	0	0	0	0	0	0	0	0
Total increases	0	1,540	0	278	0	25,163	0	1,587	0	0	0	37,835
Decreases												
Nonsecurity Cash	0	0	0	0	0	0	0	0	0	0	0	(11,867)
Other	0	(10,300)	0	0	0	8,482	0	0	0	0	0	(18,122)
Total Decreases	0	(10,300)	0	0	0	8,482	0	0	0	0	0	(29,449)
Total adjustments to base	(73)	(112,642)	645	58,385	0	73,387	0	(10,280)	(80)	388,000	78	406,480
1997 base	4	109,958	646	118,385	1,814	389,585	262	23,780	(80)	1,992,800	4,910	4,332,458
Program changes												
Costs of Fed. of Regs. Chg.	0	0	93	5,900	0	0	0	0	0	0	83	5,900
Southern Border & Immigration	0	0	0	0	86	68,583	0	0	0	0	218	78,180
Infrastructure	0	0	0	13,715	0	0	0	0	0	0	0	13,715
Health Care Fraud - Total 1	0	0	0	0	0	0	0	0	0	0	0	0
Detention & incarceration	0	0	0	0	0	0	30	1,464	0	0	30	1,464
Other changes	2	27,485	0	0	0	0	0	0	80	131,508	132	352,580
Total program changes	2	27,485	93	19,615	86	68,583	30	1,464	80	131,508	473	482,799
1997 estimate	6	133,123	941	136,000	1,913	458,168	292	25,224	0	1,824,105	4,483	4,785,256
Change 1997 from 1996	(271)	(85,177)	738	78,000	99	141,970	30	11,724	0	619,805	552	859,269
Departmental/Agency Cost												
Discretionary	6	133,123	941	136,000	1,913	458,168	292	25,224	0	1,824,105	4,483	4,785,256
Mandatory	0	0	0	0	0	0	0	0	0	0	0	0

**DEPARTMENT OF JUSTICE
1987 APPROPRIATION LANGUAGE CHANGES
FROM 1986 PRESIDENT'S BUDGET REQUEST**

A regular 1986 appropriation for the Department had not been enacted at the time the 1987 budget request was prepared. As a result, the Administration has presented appropriation language requests as new language. The information provided below describes changes from the 1986 President's budget request.

Community Oriented Policing Services. Language is proposed to delete reference to transferring to and merging with the Justice Assistance account for management and administration of these programs. These functions will be performed on a reimbursable basis in 1987.

Office of the Inspector General. Language is proposed to delete reference to carrying out the provisions of the Inspector General Act of 1978. This reference is redundant because necessary expenses of the Office are expressly to carry out this Act.

Counterterrorism Fund. Language is proposed to request funding of \$9,688,000, to remain available until expended to reimburse any Department of Justice organization for costs incurred in reestablishing the operational capability of an office or facility which has been damaged or destroyed as a result of the bombing of the Alfred P. Murrah Federal Building in Oklahoma City or any domestic or international terrorist incident, costs of providing support to counter, investigate, or prosecute domestic or international terrorism, including payment of rewards in connection with these activities, and the costs of conducting a terrorism threat assessment of Federal agencies and their facilities. Funds will be available only after the Attorney General notifies the House and Senate Appropriations Committees. This language is essentially identical to that contained in the 1985 Emergency Supplemental Appropriations Act (Pub. Law 104-18).

Violent Crime Reduction Program (VCRP), Administrative Review and Appeals. Language is proposed to delete reference to section 13007 of the Violent Crime Control and Law Enforcement Act of 1994 (Pub. Law 103-322). No funding is requested under this section for Administrative Review and Appeals in 1997.

Salaries and Expenses, General Legal Activities. Language is proposed to delete reference to rent of private or Government-owned in the District of Columbia as redundant.

Salaries and Expenses, Antitrust Division. Language is proposed to delete "notwithstanding any other provision of law" as redundant.

Salaries and Expenses, United States Attorneys. Language is proposed to delete reference to including intergovernmental agreements.

Language relating to debt collection functions has been simplified; however, no change in the functions performed is intended.

Language is proposed to request that \$4,000,000 for security equipment remain available until expended.

VCRP, United States Attorneys. Language is proposed to request funding of \$500,000 for telemarketing fraud and \$10,577,000 for Southwest Border Control to remain available until expended, as authorized in sections 40114 and 250005, respectively, of the Violent Crime Control and Law Enforcement Act of 1994 (Pub. Law 103-322).

Salaries and Expenses, United States Marshals Service (USMS). Language referencing the authorizing statute is proposed to be deleted as unnecessary. In addition, language is proposed to increase funds available for reception and representation expenses from \$6,000 to \$10,000.

Language is proposed to provide \$4,000,000 for development, implementation, maintenance and support, and training for an automated prisoner information system. The four-year development of this database will improve the efficiency and effectiveness of all offender-based processes in the USMS and support the agency-wide need for an automated decision support system.

Language is proposed to provide \$2,200,000 to support the Justice Prisoner and Alien Transportation System.

Language is also proposed to allow the USMS to collect reimbursements for the transport of State and local prisoners while maintaining the status of public aircraft.

Federal Prisoner Detention. Language is proposed to prohibit the use of Federal Prisoner Detention funds for expenses related to the Cooperative Agreement Program. This program is now funded under the Violent Offender Incarceration and Truth in Sentencing Incentive Grants under the Office of Justice Programs.

Fees and Expenses of Witnesses. Language is proposed to request funding of \$2,000,000 to be available for Alternative Dispute Resolution. These funds are requested as a discretionary portion of the appropriation.

Salaries and Expenses, Community Relations Service. Language is proposed to provide funding of \$6,612,000 for only necessary expenses of the Community Relations Service conflict prevention and resolution program. Language related to the Cuban Haitian Entrant Program functions of the Community Relations Service has been deleted. These functions will now be funded by the Immigration Exams Fee account.

United States Trustee System Fund. Language related to activities authorized under Pub. Law 99-554 is proposed to be deleted as redundant.

Interagency Crime and Drug Enforcement. Language providing that funds may be used under the authorities of the gaining account is proposed to be deleted. Such authorities are available under general statutes and are not needed here.

Language allowing the Attorney General to distribute any unobligated balances reverting to Interagency Crime and Drug Enforcement is proposed to be deleted as redundant.

Federal Bureau of Investigation (FBI) Salaries and Expenses. Language is proposed to delete reference to an independent office dedicated solely to the relocation of the Criminal Justice Information Services Division. A program office for this function has been established; therefore, there is no need for this specific language.

FBI Construction. Language is proposed to request funding of \$55,076,000 to plan, acquire, construct, maintain and improve sites, buildings and facilities. This appropriation was established in the 1995 Emergency Supplemental Appropriations Act, Pub. Law 104-19.

FBI Telephone Carrier Compliance. Language is proposed to request funding of \$100,000,000 pursuant to 47 U.S.C. 1009 for payments to telephone carriers, equipment manufacturers and provides telecommunications support services. This funding is requested as a discretionary appropriation in 1997; no fees are proposed to provide funds.

VCRP Federal Bureau of Investigation. Language is proposed pursuant to Public Law 103-322, to implement the Brady Handgun Violence Prevention Act (Pub. Law 103-159) and to provide investigative support for same, as authorized by section 250005 of the Act.

Drug Enforcement Administration. Language is proposed to authorize \$2,000,000 for laboratory equipment and \$2,000,000 for aircraft replacement retrofit and parts to remain available for two years. Laboratory equipment was requested with technical equipment in previous years.

Language is proposed to delete a reference to drug education and training programs, and distribution of items for token values as redundant.

VCRP Drug Enforcement Administration. Language is proposed to include the purchase of passenger motor vehicles for police-type use.

Immigration and Naturalization Service (INS) Salaries and Expenses. Language is proposed to authorize up to \$20,000,000 to be available until September 30, 1998, to improve the accuracy of Immigration and Naturalization Service records and to develop verification pilot projects.

Language is proposed to increase the amount for reception and representation expenses from \$5,000 to \$20,000.

Language is proposed to authorize \$5,000,000 for payments or advances from contractual or reimbursable agreements with State and local law enforcement agencies while engaged in cooperative activities related to immigration.

Language is proposed to make no funds available to the Service to pay an employee overtime pay in an amount in excess of \$30,000 during the calendar year beginning January 1, 1997, except in instances when the Commissioner determines that enforcing this overtime provision would harm enforcement or service activities. This is an increase from the current limit of \$25,000.

Language is proposed to repeal 8 USC 1356(g)(6)(A), which would remove the termination date for the Land Border Fee Pilot Project.

Language is proposed to amend section 404(b)(2)(A) of the Immigration and Nationality Act to allow the Attorney General to reimburse INS costs as determined necessary by the Attorney General, without declaring an immigration emergency. Such authority exists for the Attorney General to reimburse States, subject to a dollar amount.

Language was proposed in the 1997 President's budget to extend indefinitely the Land Border Fee Pilot Project scheduled to end September 30, 1996. This language would not be necessary if 8 USC 1356(q)(5)(A) is repealed.

INS, Construction. Language is proposed to request funding of \$5,540,000 to remain available until expended for planning, construction, renovation, equipping, and maintenance of buildings and facilities necessary for administrative and enforcement of laws relating to immigration, naturalization and alien registration.

VCRP, Immigration and Naturalization Service. Language is proposed to authorize amounts not required for asylum processing provided under the expeditious deportation of denied asylum applicants be available for other deportation program activities.

Federal Prison System, Salaries and Expenses. Language is proposed to authorize FPS to enter into contracts and other agreements with private entities for periods of not to exceed 3 years and 7 additional option years for the confinement of Federal prisoners. This will offer longer term stability for management of prisons by extending the existing contracting period from a total of 5 years to 10 years.

Language is proposed to include the National Institute of Corrections (NIC) in the FPS' Salaries and Expenses budget in the contract confinement program. NIC will continue to perform its current functions under 18 U.S.C. 4351, et seq, with the exception of the grant program.

Language is proposed to make authorize that any unexpended balances available to the NIC account be credited to and merged with FPS' Salaries and Expenses and remain available until expended. These two proposals reflect the 1996 Conference funding for NIC.

VCRP, Federal Prison System. Language is proposed to change authorization for this account to 18 U.S.C. 3821, where section 32001(b) of the Violent Crime Control and Law Enforcement Act of 1994 (Pub. Law 103-322) is codified.

Buildings and Facilities. Language is proposed to delete reference to the Cooperative Agreement Program funding. This funding is now provided through the Violent Offender Incarceration and Truth in Sentencing Incentive Grants under the Office of Justice Programs.

Language is proposed to delete section 104 of the Government Corporation Control Act, as amended.

VCRP, Office of Justice Programs (OJP). Language is proposed to delete the transfer of amounts for administrative costs for management and administration to the Justice Assistance account. These functions are proposed to be funded through reimbursements in 1997 so this provision is no longer needed.

Language is proposed to delete funding for the Local Crime Prevention Block Grants pursuant to section 30202 of the Violent Crime Control and Law Enforcement Act of 1994 (Pub. Law 103-322).

Language is proposed to include funding for the Drug Courts Program pursuant to section 50001 of the Violent Crime and Law Enforcement Act of 1994 (Pub. Law 103-322).

Language is proposed to include the State Court Assistance Grants Program pursuant to section 210602 of the Violent Crime and Law Enforcement Act of 1994 (Pub. Law 103-322).

Language is proposed to include the Telemarketing Fraud Against Seniors Program pursuant to section 260005 of the Violent Crime and Law Enforcement Act of 1994 (Pub. Law 103-322).

Language is proposed to include the Summit on Violence and the National Commission on Crime and Control pursuant to section 270001 of the Violent Crime and Law Enforcement Act of 1994 (Pub. Law 103-322).

Language is proposed to include the National Study on Campus Sex Assault pursuant to section 40506 of the Violent Crime and Law Enforcement Act of 1994 (Pub. Law 103-322).

Language is proposed to delete the Training and Technical Assistance Automation Grants program, authorized in section 210601 of the Violent Crime and Law Enforcement Act of 1994 (Pub. Law 103-322).

Language is proposed to delete the Gang Investigation Coordination and Information Collection Program pursuant to section 150000 of the Violent Crime and Law Enforcement Act of 1994 (Pub. Law 103-322).

Language is proposed to delete the State Database Study pursuant to section 40292 of the Violent Crime and Law Enforcement Act of 1994 (Pub. Law 103-322).

A new earmark of \$42 million is included within the State Correctional Grants program to fund the Administration's drug testing initiative of arrestees.

QJP, State and Local Law Enforcement Assistance. Language is proposed to be eliminated since all program funds are requested under the Violent Crime Reduction Program in 1997.

QJP, Juvenile Justice Programs. Language earmarking the distribution of Victims of Child Abuse funds is proposed to be deleted.

GENERAL PROVISIONS - DEPARTMENT OF JUSTICE

The following sections are proposed for 1997. Sections 101, 103, and 104 are unchanged from the 1996 requested provisions.

Section 101, stating that a total of not to exceed \$45,000 from funds appropriated to the Department of Justice in this title shall be available to the Attorney General for official reception and representation expenses in accordance with distributions, procedures, and regulations established by the Attorney General, is unchanged from the 1996 provision.

Section 102 continues the authorizations contained in Public Law 96-132, "The Department of Justice Appropriation Authorization Act, Fiscal Year 1980" until the termination date of this Act or until the effective date of a Department of Justice Appropriation Authorization Act, whichever is earlier. This section is amended to further strike 1996 and insert years 1997, 1998 and 1999 in three subsections.

Section 103, which is unchanged, states that none of the funds appropriated under this title shall be used to require any person to perform, or facilitate in any way the performance of, an abortion.

Section 104 states that nothing in the preceding section shall remove the obligation of the Director of the Bureau of Prisons to provide escort services necessary for a female inmate to receive such service outside the Federal facility; and that nothing in this section in any way diminishes the effect of section 103 intended to address the philosophical beliefs of individual employees of the Bureau of Prisons. This section also is unchanged.

Section 105 states that pursuant to the provisions of law set forth in 18 U.S.C. 3071-3077, not to exceed \$10,000,000 of the funds appropriated to the Department of Justice in this title shall be available for rewards to individuals who furnish information regarding acts of terrorism against a United States person or property. The amount of the rewards was increased from \$5,000,000 to \$10,000,000.

Section 106 states that not to exceed 5 percent of any appropriation made available for the current fiscal year for the Department of Justice in this Act, including those derived from the Violent Crime Reduction Trust Fund, may be transferred between such appropriations, but no appropriation, except as otherwise specifically may be provided, shall be increased by more than 10 percent by an such transfers. Any such transfers pursuant to this section must be treated as a reprogramming of funds under section 605 of this Act. This section retains the reprogramming requirement but deletes as redundant the phrase stating that any amounts shall not be available except in compliance with the requirement.

Section 107 amends Section 524(c)(9) of title 28, United States Code, by striking subparagraph (9)(E), as added by section 211 of Public Law 104-99 (110 Stat. 37-38 (1996)), and in subparagraph (8)(E) by striking "1994" and inserting "1996." This updates the availability of unobligated Assets Forfeiture Fund balances for distribution by the Attorney General.

Section 108 amends section 1930 of title 28, U.S. Code, as amended, by striking everything after "total less than \$15,000" in paragraph (8) and inserting language for new fees based on quarterly disbursements by trustees.

Section 1930 is amended further by adding new paragraph 7 requiring the standing trustee, appointed by the Attorney General, pursuant to 28 U.S.C. 586(e)(1)(b) to serve in cases filed under Chapter 13, title 11, to remit to the United States trustee a fee based on receipts as determined by the Attorney General but not to exceed one-half of one per centum.

Section 289 a(1)(2) of title 28, United States Code, is amended by striking 40 per centum and inserting 50 per centum, striking ";", and inserting a semi-colon and adding a paragraph requiring 100 per centum of the fees collected under section 1930(a)(7) of this title.

Section 109 amends section 151 of the Foreign Relations Authorization Act by inserting "the Federal Bureau of Investigation" after "Drug Enforcement Administration." This will provide special allowances for FBI agents in hazardous duty locations outside the U.S.

The following sections are proposed for deletion and does not appear in the 1997 request.

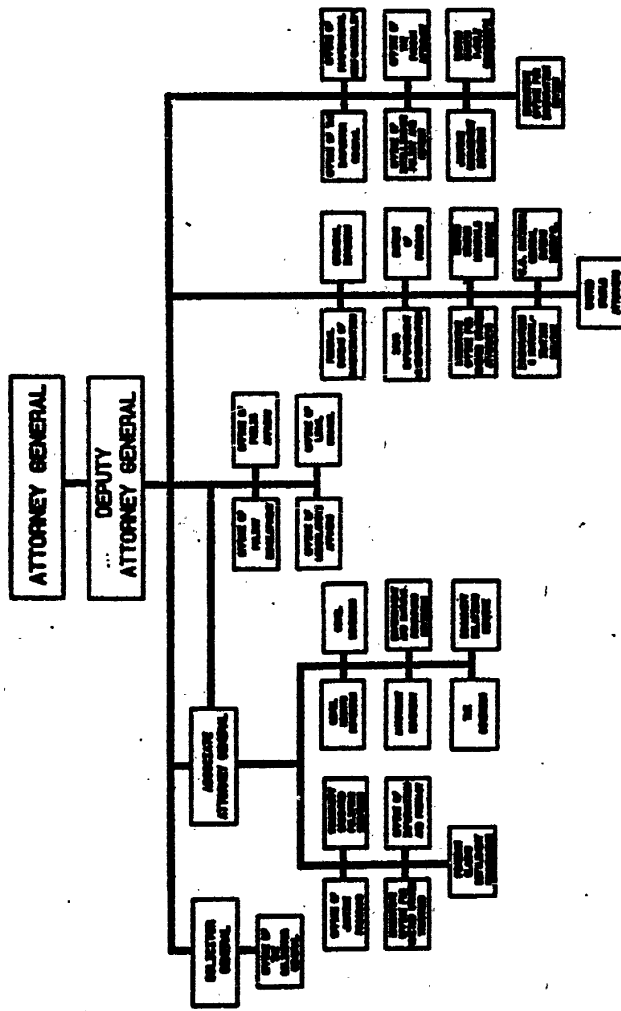
Section 107 proposes that for fiscal year 1996 and thereafter, amounts in the Federal Prison System's Commissary Fund, Federal Prisons, which are not currently needed for operations, shall be kept on deposit or invested in obligations of, or guaranteed by, the United States and all earnings on such investments shall be deposited in the Commissary Fund. This language is no longer required since it is a permanent change.

Section 111. This section requires for 1996 and thereafter, the Director of the Bureau of Prisons is authorized to make expenditures out of the Federal Prison System's Commissary Fund, Federal Prisons, for the Inmate Telephone System. It is no longer required since the 1996 language would make a permanent change.

**Department of Justice
General Administration
Estimate for Fiscal Year 1997
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U.S. DEPARTMENT OF JUSTICE



Approved: *[Signature]* Date: 10-28-94
 Attorney General

The Justice Management Division (JMD) is responsible for ensuring that the management initiatives of the President, the Attorney General, and the Congress are implemented efficiently and effectively. JMD provides the necessary coordination and administrative support services as determined by the President's Office, the Attorney General's Office, and the Congress. JMD provides organizations with policy guidance and/or direct support in the areas of personnel, equal employment opportunity, training, procurement, management, budget, financial policy, facilities planning, and security.

**General Administration
Salaries and Expenses**
Justification of Proposed Changes in Appropriation Language

The 1997 budget estimates include changes in the appropriation language listed and explained below. New language is underscored and deleted matter is enclosed in brackets.

Salaries and Expenses

For expenses necessary for the administration of the Department of Justice, \$83,256,000 of which not to exceed \$3,317,000 is for the Facilities Program 2000, to remain available until expended. (8 U.S.C. 1103(A); 28 U.S.C. 591, 502, 504, 507-529, 1929.)

Note.--A regular 1996 appropriation for this account had not been enacted at the time this budget was prepared. The 1996 amounts included in this budget are based on the levels provided in three continuing resolutions: P.L. 104-91, P.L. 104-98, and P.L. 104-99.

**Congressional
Appropriations
Actions on
1996 Budget**

Activity/Program	Est.	MY	Amount	Est.	MY	Amount	Est.	MY	Amount
1. Program Division and Policy Coordination									
Department Leadership	59	60	39,084	(14)	(14)	(1,576)			
Executive Support	86	90	5,520			(317)			
Policy Planning	5	5	310						
Intelligence Policy & Prof. Responsibility	459	459	50,311	2	4	(1,811)			
Intelligence Policy & Prof. Responsibility	459	459	50,311	2	4	(1,811)			
Management and Oversight of P&S	0	0	0	0	0	5,000			
Subtotal	639	642	73,229	(12)	(10)	1,053			

Congressional Appropriation Actions

Congressional action diminished the Office of the Associate Attorney General, a decrease of 14 positions, 14 workyears, and \$1,546,000. Net mandatory increases of \$3,162,000 were not funded. Funding for a resource realignment provided \$233,000 to Justice Management Division. However, funding for a resource realignment was not provided to the Office of Professional Responsibility, resulting in a decrease of 3 positions, 3 workyears, and \$472,000. Funding was provided for the Office of Intelligence Policy and Review counterterrorism initiatives, resulting in an increase of 6 positions, 6 workyears, and \$1,000,000. \$3,000,000 was provided for Immigration and Naturalization Service management and oversight activities.

General Administration
 Administration
 Management & Oversight
 (Dollars in Thousands)

Adjustments to base	1996	1997	1998	1999
1996 as enacted	637	632	632	632
1996 availability				
Transfer to and from other accounts				
Management & Oversight				
Transfer of PMS Management and Oversight funds to the OMO				
Mandatory increases				
1997 base	637	632	632	632

	1995 as enacted	1996 as enacted	1997 as enacted	1998 as enacted	1999 as enacted
1. Program Division and Policy Coordination					
Program Division	18	18	18	18	18
Policy Coordination	76	76	76	76	76
Management & Oversight	28	28	28	28	28
Program Division	35	35	35	35	35
Policy Coordination	35	35	35	35	35
Management & Oversight	35	35	35	35	35
Total	57	57	57	57	57

1996 availability					
Transfer to and from other accounts					
Management & Oversight					
Transfer of PMS Management and Oversight funds to the OMO					
Mandatory increases					
1997 base	637	632	632	632	632

*The Actual Obligations figure for FY 1999 has been reduced and is different from that submitted in the Appendix to the President's Budget. \$27,100,000 should be subtracted from the total amount and submitted figure.

**General Administration
Administrative Expenses
Department of Defense
(Values in Thousands)**

	1975 Actual		1976 Estimate		1977 Estimate		1978 Estimate	
	No.	Amount	No.	Amount	No.	Amount	No.	Amount
Chiefs of Staff	1	837	1	838	1	838	1	838
Assistant Chiefs	1	867	1	867	1	867	1	867
Director of Plans	1	200	1	200	1	200	1	200
Director of Personnel	1	854	1	854	1	854	1	854
Director of Administration	1	71	1	71	1	71	1	71
Executive Office of U.S. Attorneys	4	1,749	4	1,731	4	1,731	4	1,731
Executive Office of U.S. Treasury	4	2,116	4	2,294	4	2,294	4	2,294
Executive Office of U.S. Defense	4	1,749	4	1,749	4	1,749	4	1,749
General Staff Activities	2	249	2	249	2	249	2	249
Headquarters & Field Activities	2	249	2	249	2	249	2	249
U.S. Maritime Service	2	13,594	2	13,594	2	13,594	2	13,594
U.S. Department of State	21	2,378	21	2,378	21	2,378	21	2,378
WCS (Unassigned Balance Transfer)	128	28,375	128	28,375	128	28,375	128	28,375
All Other	128	28,375	128	28,375	128	28,375	128	28,375
Budgetary Resources	128	28,375	128	28,375	128	28,375	128	28,375

**Capital Administration
Salaries and Expenses
Financial Analysis - Program Changes
(Dollars in thousands)**

	Department Leadership		Executive Support		Intelligence Policy and Prof. Respon.		Justice Management Division		Total	
	Pos.	Amount	Pos.	Amount	Pos.	Amount	Pos.	Amount	Pos.	Amount
Grades:										
EX-03/00	1	123							1	123
ES-00/04	3	348							3	348
GS-13	1	81			10	960			11	1,041
GS-14	1	62							1	62
GS-15	14	764							14	764
GS-16	15	687							15	687
GS-17	18	635			2	80			20	715
GS-18					3	93			3	93
GS-19					1	26			1	26
AD Pay		71								71
Total positions & annual rate:	53	2,791			16	1,159			69	3,950
Lapse (5)	(10)	(402)							(10)	(402)
Clear personnel composition:										
Total workers & personnel composition	43	2,389			16	1,202			59	3,591
Personnel benefits:										
Travel & transp of person		627				326				953
Transportation of things		64				60				124
GSA Rent		14				13				27
Comm., rent, & utilities		673				202				875
Printing		105				47				152
Other miscellaneous services		15				18				33
Supplies & materials		410				161				571
Equipment		76				44				120
Total, workers & obligations changes requested, 1996:	43	4,833			16	2,211			59	7,044

General Administration
 Policies and Procedures
 Executive Functions

Program	Section
Department Leadership	1
Intelligence Policy & Professional Resp	2
Justice Management Division	3
Executive Support	4

Program	Section
Intelligence Policy & Professional Resp	1
Department Leadership/Associate's Office	2
Department Leadership/Financial Statements	3

General Administration
Activities and Expenses
Budget of Payments Available by Category
Fiscal Years 1995, 1997

Category	1995		1996		1997	
	Actual	Subtotal	Actual	Subtotal	Transfers	Program Increase
Attorney (000)	128	18	122	18	-	18
Probate (000)	0	18	12	18	-	4
State Legal & Judicial (000-000)	2	-	2	-	-	2
State Admin. (000-000)	127	00	142	18	-	0
Information and Tech (0000-0000)	27	-	27	-	-	-
Business & Industry (1100-1100)	24	11	24	7	-	-
Security Services (000)	48	7	57	7	-	-
Personnel Management (200-200)	30	-	30	-	-	-
Accounting (000-000)	52	6	58	4	-	28
Library (000-000)	31	-	30	-	-	-
Equipment, Facilities, and	0	-	12	-	-	-
Books (000-000)	10	-	10	-	-	-
Supply (000-000)	10	2	10	2	-	-
Motor Vehicle Operations (0000)	20	-	20	-	-	-
Maintenance Operations (010-000)	-	-	-	-	-	-
Total	607	128	627	70	0	68
Washington	607	128	627	70	-	68
U.S. Field	-	2	-	2	-	-
Total	607	130	627	72	0	68

General Administration
Salaries and Expenses
Summary of Change
(Dollars in thousands)

	Perm Pos	Work Years	Amount
Adjustments to base:			
1996 President's Request	639	642	\$73,229
Absorption of mandates			(3,162)
OPR Resource Reassignment	(4)	(2)	(239)
Elimination of the Associate's Office	(14)	(14)	(1,546)
OPR Counterterrorism Amendment	6	6	1,000
INS Management & Oversight			5,000
1996 Appropriation Anticipated	637	632	74,282
Transfer to and from other accounts:			
Mail Management redistribution			124
Transfer of INS Management and Oversight FTEs to the OIG			(3,000)
Total transfer			(4,876)
Mandatory increases:			
Actualization of 1996 pay rates			374
1997 pay raise and locality pay adjustment			1,335
Within-grade increases (WIG)			929
Travel mileage allowance			1
Seismic Safety Survey			3,500
Declassification Request			469
Commerce Business Daily			3
General pricing level adjustment			146
Litigation Support Contract			29
Total mandatory increases			6,806
1997 base	637	632	76,212
Other adjustments to base:			
Preparation of Financial Statements	39	29	3,200
Restoration of the Office of the Associate Attorney General	14	14	1,633
OPR Conversion of reimbursable FTE to Direct	3	3	376
More Rapid Investigations in OPR	13	13	1,835
1997 estimate	696	691	83,256

**General Administration
Section and Finance
Anticipation of Adjustments to 1997
(dollars in thousands)**

	Pos.	Net 1997	Amount
Transfers to and from Other Accounts			
1. Ball Management Justification:			
The Ball Management Justification is necessary in order to more accurately align the base funding originally transferred to accounts in the Ball Management Justification with the actual funding received by the accounts. The funds are being redistributed based on the FY 1997 survey of unit volume, since this represents the most current information available.			
2. Information and Administration Section (I&A) Management and Justification:			
The Information and Administration Section (I&A) Management and Justification is necessary in order to more accurately align the base funding originally transferred to accounts in the Information and Administration Section (I&A) Management and Justification with the actual funding received by the accounts. The funds are being redistributed based on the FY 1997 survey of unit volume, since this represents the most current information available.			
3. Information and Administration Section (I&A) Management and Justification:			
The Information and Administration Section (I&A) Management and Justification is necessary in order to more accurately align the base funding originally transferred to accounts in the Information and Administration Section (I&A) Management and Justification with the actual funding received by the accounts. The funds are being redistributed based on the FY 1997 survey of unit volume, since this represents the most current information available.			
Residuals Increases			
1. Anticipation of Increase of 1997 Pay Rates:			
This pay anticipation request is for the 1997 pay rates. The amount requested is \$1,335,000 for the 1997 pay rates. The amount requested is \$1,335,000 for the 1997 pay rates. The amount requested is \$1,335,000 for the 1997 pay rates.			
2. 1997 Pay Rates and Justification:			
This pay anticipation request is for the 1997 pay rates. The amount requested is \$1,335,000 for the 1997 pay rates. The amount requested is \$1,335,000 for the 1997 pay rates. The amount requested is \$1,335,000 for the 1997 pay rates.			
3. Withholding Increases:			
This request provides for the expected increase in costs of withholding. This increase is based on an accurate estimate of the Department's employee population which includes numerous factors such as anticipated pay rates, adjustments to include three-year attrition/turnover rates, and career ladder series to reflect promotion policy for each organization. The request includes \$457,000 for pay and \$257,000 for benefits.			
4. Travel-Related Allowance Rate Increase:			
The mileage allowance rate has increased from 25 to 30 cents per mile. An increase of \$1,000 is requested in 1997 to cover this rate adjustment.			
5. Salinity Safety Section:			
Executive Order 12951 "Salinity Safety for Existing Federally Owned and Leased Buildings" requires Federal Agencies to conduct a structural survey of owned and leased buildings and prepare cost estimates of mitigating the unacceptable risks posed by such buildings. It will incur as a result of conducting the survey and preparing cost estimates.			

**Special Administration
Salaries and Expenses
Justification of Adjustments to Base
(Dollars in thousands)**

	Pos.	Next Year	Amount
6. Declassification Request.....	449
<p>On October 1, 1995, the Department of Defense announced that, effective October 1, 1995, it will charge \$12.00 per printing any notice in its publication. The increase of \$1,400 covers the estimated cost for this new charge.</p>			
7. Commerce Salaries and Printing Increase.....	3
<p>The Commerce Salaries will be increased that, effective October 1, 1995, it will charge \$12.00 per printing any notice in its publication. The increase of \$1,400 covers the estimated cost for this new charge.</p>			
8. Special Printing (not GPO) Adjustments.....	165
<p>This request applies to printing guidance as of June 11, 1995, to selected expense categories. The increased costs identified result from applying the new rates to the printing of the Department's publications. The Department has established a plan to declassify at least fifteen percent of existing twenty-five year old records within one year and an equal amount for FY 1997, and are granted five years from the date of the order to comply with declassification requirements.</p>			
9. Increase in Printing Based Contract.....	29
<p>The Department has requested that the Department of Defense increase the rate of the printing contract from \$10.00 per hour to \$12.00 per hour. An increase of \$29,000 is requested.</p>			

General Administration Activities and Expenses Summary of Requirements by Object and Object Class									
Object Class	1992 Actual		1994 Estimate		1992 Request		1994 Request		Percent Change
	Actual	Estimate	Actual	Estimate	Actual	Estimate	Actual	Estimate	
11.1 Total workyear & personnel compensation.....	548	531,773	594	535,288	653	541,494	59	56,204	9%
11.2 Other than full-time personnel.....	46	1,451	38	1,197	36	1,197	0	0	0%
11.3 Other personnel compensation.....	13	1,463	13	1,218	13	1,392	0	174	14%
11.4 Special personnel services payments.....	0	0	0	0	0	0	0	0	0%
Total.....	607	533,226	645	537,723	702	643,883	59	6,346	9%
Relationships with:									
Full-time personnel.....	(128)		(77)		(69)		(59)		(53)%
Other Object Class:									
12.0 Personnel benefits.....	6413	0	6,348	0	7,211	0	913	0	9%
12.1 Benefits to former personnel.....	703	0	614	0	761	0	127	0	17%
21.0 Travel and transportation of personnel.....	422	0	43	0	49	0	27	0	27%
22.0 Transportation of things.....	1,117	0	6,271	0	9,146	0	875	0	87%
23.1 OSA rent.....	3,103	1,884	3,103	1,884	2,264	2,264	279	279	33%
23.2 Other, rent, & other main charges.....	649	0	642	0	635	0	33	0	33%
24.0 Printing and reproduction.....	292	363	363	363	312	312	9	9	9%
25.1 Advisory and assistance services.....	6,431	14,239	14,239	14,239	15,397	15,397	(206)	(206)	(206)%
25.2 Other services.....	0	0	0	0	0	0	0	0	0%
25.3 Purchase of goods & services from Gov't agencies.....	0	0	0	0	0	0	0	0	0%
25.4 Operations of GOCO's.....	0	0	0	0	0	0	0	0	0%
25.5 Research and development contracts.....	3,108	1,347	1,347	1,347	1,347	1,347	123	123	123%
26.0 Research and materials.....	1,298	362	362	362	362	362	44	44	44%
31.0 Equipment.....	0	0	0	0	0	0	0	0	0%
41.0 Contracts, subcontracts, and subventions.....	0	0	0	0	0	0	0	0	0%
42.0 Information studies and information.....	0	0	0	0	0	0	0	0	0%
Total obligations.....	61,192	74,282	74,282	74,282	83,236	83,236	59	6,974	6%
Unobligated balance, end of year.....	(3,699)	(1,886)	(1,886)	(1,886)	(1,477)	(1,477)	0	0	0%
Unobligated balance, start of year.....	3,699	3,699	3,699	3,699	3,699	3,699	0	0	0%
Total requirements.....	69,379	75,877	75,877	75,877	82,335	82,335	59	6,974	6%
Relation of Obligations to Outlays:									
Total obligations.....	61,192	74,282	74,282	74,282	83,236	83,236	59	6,974	6%
Outlays, start of year.....	11,236	3,228	3,228	3,228	3,228	3,228	0	0	0%
Outlays, end of year.....	(1,236)	(3,228)	(3,228)	(3,228)	(3,228)	(3,228)	0	0	0%
Outlays.....	71,222	67,832	67,832	67,832	79,776	79,776	59	6,974	6%

* The Actual Obligations figure for FY 1992 has been rounded and is different from that submitted in the Appendix to the President's Budget.
 \$67,152,000 should be considered the most current and accurate figure.

**Departmental Leadership
Current Pay Increases
Summary of Departmental
(Dollars in thousands)**

Adjustments to Basic		1995 as Reported		1995 Adjusted		1996 Availability		1997 Basis		1997 Estimate		Inventory Difference			
	Pos.	Neg.	Pos.	Neg.	Pos.	Neg.	Pos.	Neg.	Pos.	Neg.	Pos.	Neg.	Pos.	Neg.	
Estimates for programs															
Department Leadership	12	13	\$3,716	12	15	\$2,963	13	13	\$3,316	13	13	\$3,377	39	29	\$3,200
Agency Council	33	38	4,161	33	38	3,465	33	33	3,796	32	33	4,160	71	63	7,563
County Advisory Council	13	14	1,566	13	13	1,206	13	13	1,566	14	14	1,633	14	14	1,633
Alameda Advisory Council	58	65	9,025	58	55	8,134	45	46	7,112	45	46	7,540	98	98	12,373
Total	116	120	16,468	116	115	16,368	101	102	13,586	102	103	14,670	164	164	23,069
Rateholders' workyears															
Total workyears	38	103		38	91		46	46		46	46		46	46	
1997 Item															
Amendments of 1996 pay plan															
1997 pay rates and locality pay adjustment															
Countywide pay plan adjustment															
Countywide pay plan adjustment															
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**General Administration/Department Leadership
Activities/Programs and Performance
Activities/Resource Summary
(dollars in thousands)**

	1997 Available		1997 Base		1997 Estimate		Increase/Decrease	
	Perm.	Est.	Perm.	Est.	Perm.	Est.	Perm.	Est.
Department Leadership								
Attorney General.....	13	13	13	13	13	13	0	0
Deputy Attorney General.....	32	32	32	32	32	32	0	0
Associate Attorney General.....	43	43	43	43	43	43	0	0
Total.....	88	88	88	88	88	88	0	0

GENERAL DOLLAR ADJUSTMENTS:

To advise the President on Constitutional matters and legal issues involving the execution of the laws of the United States.

To formulate and implement policies and programs that advance the administration of justice in the United States.

To manage the Department of Justice.

To provide executive-level leadership in the continuing war on drugs; combating violent crime; investigating and prosecuting fraud and other white collar crimes; dismantling prison overcapacity; protecting our nation's borders; and, enforcing environmental and civil rights laws.

To provide executive-level oversight and management of international law enforcement training and assistance; financial institutions, reform, recovery, and enforcement programs; and investigative policy.

To coordinate criminal justice matters with Federal, State, and local law enforcement and criminal justice agencies.

To investigate, process, and make recommendations to the President on candidates for judicial and justice department Presidential appointments.

To maintain and supervise the Attorney General's Honor Law Graduate and Attorney Employment programs.

To prepare and disseminate an Annual Report to the Congress and the public regarding the programs and accomplishments of the Department of Justice.

BASE DOLLAR ADJUSTMENT: The Department's Leadership Program consists of the Office of the Attorney General and the Office of the Deputy Attorney General. Congressional action has eliminated the Office of the Associate Attorney General for 1996.

PROGRAM CHANGES:

	1997 Base		1997 Estimate		Increase/Decrease	
	Perm.	Est.	Perm.	Est.	Perm.	Est.
Department Leadership.....	43	43	43	43	0	0
Total.....	43	43	43	43	0	0

The increase in the 1997 estimate reflects position, workyear, and funding increases for: 1) production of consolidated financial statements, and 2) restoration of the Office of the Associate Attorney General.

Financial Statements

A program endorsement of 39 positions, 29 FTE and 10,000,000 is requested to enable the Department to prepare agency wide consolidated financial statements covering a program endorsement of 39 positions, 29 FTE and 10,000,000. This effort is required by Title 31, United States Code, Section 101, and is an integral part of the much larger efforts of the GSA to produce consolidated financial statements for the Department. The Department has been successful in securing statement provisions upon the requirements of the Chief Financial Officers Act (CFO Act) of 1990. The Department received no funding and was forced to absorb the costs related to the CFO Act statements, which include audits of the Banking Capital Fund, Asset Forfeiture Program, Radiation Exposure Compensation Trust Fund, Victim Crime Indemnity Trust Fund, Prisoners' Compensation, 180 Vol Accounts and Federal Prison Industries.

However, the GSA provisions have significantly expanded the scope and nature of the financial statements initiative. The GSA financial statement effort intends to deliver to the Congress and the American taxpayers, for the first time, a true and complete picture of the financial status of the Federal government. The statements will be prepared and audited by the GSA, as well as agency performance in producing the statements audited by Congress. The resources requested here will be used by the GSA to produce consolidated financial statements for the Department, as well as agency performance in producing the statements audited by Congress. The Office of Justice Programs and the Justice Management Division to coordinate, develop, and compile the financial statements and to assist the staff throughout the course of the multiple audits. Although the majority of this funding will be used by the major bureaus listed above, it is being requested centrally under the General Administration because this effort must be an integrated Departmental initiative and will be closely coordinated by the Justice Management Division.

In addition, 16 positions, 3 FTE, and \$1,000,000 is being requested by our Office of Inspector General (OIG) to perform the audits. The audits will be performed by private sector consulting firms, with oversight by the OIG.

If the Department does not receive this endorsement, it will be faced with reducing resources for attorneys, prison and investigative agents in order to meet the needs of the GSA.

The GSA financial statement audits intend to produce complete, reliable and useful information for decision makers at all echelons of the government and restore citizen confidence in the financial affairs of the Federal government.

Restoration of the Office of the Associate Attorney General

A program endorsement of 14 positions, 14 FTE, and \$1,430,000 is requested for the restoration of the Office of the Associate Attorney General in 1997. The Department strongly opposed the Congressional action that eliminated this office in 1996. This office is essential to the effective operation of the Department, particularly in view of the dramatic increases in new Crime Trust Fund programs, and associated resources, that have been provided to the Department. These activities have dramatically increased the need for coordination and policy-level oversight. Under the outstanding leadership of the current Associate Attorney General, this office provides invaluable assistance to the effective delivery of Departmental services. For these reasons, restoration of this office is requested for 1997.

**Executive Support
General Administration
Summary of Requirements
(Dollars in thousands)**

	1995 as Enacted		1995 Actual		1996 Availability		1997 Base		1997 Estimate		Increase/Decrease	
	Est.	YX	Amount	Est.	YX	Amount	Est.	YX	Amount	Est.	YX	Amount
Adjustments to Base:												
1996 President's Request												
Absorption of Mandatories												
1996 Appropriation Anticipated												
Transfer to and from other accounts												
Mail Management redistribution												
Mandatory increase:												
Acceleration of 1996 pay raise												
1997 pay raise and locality pay adjustment												
Work year extension (WYE)												
Overall pricing level adjustments												
Total, mandatory increase												
1997 base												

44

	1995 as Enacted		1995 Actual		1996 Availability		1997 Base		1997 Estimate		Increase/Decrease	
	Est.	YX	Amount	Est.	YX	Amount	Est.	YX	Amount	Est.	YX	Amount
Estimate by program												
Executive Support												
Policy Development	35	41	\$4,252	35	37	\$4,246	39	41	\$5,060	39	41	\$5,060
Public Affairs	15	20	1,736	15	20	1,652	18	20	1,831	18	20	1,831
Legislative Affairs	26	29	2,992	26	28	2,598	23	23	3,116	23	23	3,116
Total	76	90	9,487	76	85	8,526	86	90	10,007	86	90	10,007
Reimbursable workers												
Total workers	36			36			36			36		
	126			121			126			126		

General Administration/Executive Support
 Administration and Support
 Justification of Budgetary Requirements
 Activities of Interest Bureau
 (Dollars in thousands)

	1976 Availability		1977 Base		1977 Estimate		Increases/Decreases	
	Est.	MT	Est.	MT	Est.	MT	Est.	MT
Executive Support	39	41	39	41	39	41	...	...
Policy Development	18	20	18	20	18	20	...	...
Public Affairs	22	22	22	22	22	22	...	...
Legislative Affairs	66	90	66	90	66	90	...	...
Total	145	173	145	173	145	173	...	...

GENERAL GOALS AND OBJECTIVES:

- To improve the Department's effectiveness in providing substantive and timely input on the Administration's law enforcement initiatives as well as other legislative proposals affecting Department responsibilities.
- To improve the process of reviewing and clearing through the Department legislative proposals initiated by other agencies within the Administration.
- To maintain an efficient and responsive legislative liaison service operation.
- To handle the processing of judicial and other nominations efficiently and responsibly.
- To provide support in advancing the Administration's overall legislative agenda.
- To ensure policy consistency and coordination of Departmental initiatives, briefing materials, and policy statements.
- To disseminate timely, accurate information about the Department, the Attorney General and the Administration's law enforcement priorities, policies and activities to the news media and the general public.
- To enhance and promote the enforcement goals of the Department through distribution of news releases, coordinating press conferences and telephone and video conferences announcing indictments, settlements, and statements on civil rights, environment, criminal, anti-drug, and other Department enforcement activities.
- To ensure that all applicable law, regulations and policies involving the release of information to the public are followed so that material is not made public that might jeopardize investigations and prosecutions, violate rights of defendants or potential defendants or compromise national security interests.

EXTERNAL FACTORS:

- The pace of Congressional consideration of specific legislative issues, particularly major legislative initiatives, is governed by numerous factors which are beyond the control of OLA, the Department, and, frequently, the Administration.
- OLA and the Department have little control over the legislative priorities of other agencies as they forward their bills to the Department for internal clearance.
- The volume and nature of matters requiring Department liaison--including correspondence--is both generally uncontrollable and unpredictable.

PROGROSS CHANGES:

	1997 Base		1997 Est. Mkt.		Increase/Decrease	
	Est.	Mkt.	Est.	Mkt.	Est.	Mkt.
Intelligence Policy and Professional Responsibility.....	37	94,437	53	94,448	16	92,211

A program increase of 16 positions, 14 attorneys, and \$2,211,000 is requested for additional staffing which will enable OPI to more rapidly investigate allegations of attorney misconduct. OPI has been successful in identifying and prosecuting attorneys who have engaged in misconduct. It is anticipated that OPI will continue to identify and prosecute attorneys who have engaged in misconduct. In fiscal year 1997, OPI opened 196 matters or 14 per attorney. Given the Attorney General's desire to have these allegations addressed as quickly as possible, we do not believe that an active caseload of 14 matters per attorney is realistic. OPI's projection of a staff of 19 attorneys and a caseload of 14 matters per attorney which we believe is a more realistic, but still not ideal figure. In addition, OPI's support staff has been struggling to keep pace with the additional caseload.

For many years the Office of Professional Responsibility maintained its staff of four line attorneys while the Department increased from 4416 to 7642. In 1996, OPI had a staff of 8 attorneys and the total number of attorneys in the Department had increased to 7642. Corresponding to the increase in staff was a significant increase in the number of matters which OPI received.

At the same time, the defense bar has become more sophisticated in its use of complaints of professional misconduct as a tactical device. This, coupled with the increase in the number of the Department's prosecutors, resulted in a significant increase in the number of complaints of attorney misconduct.

Attorney General Barr first recognized the need for increased staffing in OPI and he authorized OPI to increase its staff by two attorneys and two support positions. Attorney General Barr also recognized the need for additional resources for OPI. He understood the importance of addressing allegations of misconduct quickly and efficiently. Since the end of 1992, OPI matters involving judicial findings or criminal convictions have increased from 145 to 145. The increase in the number of matters involving judicial findings or criminal convictions has resulted in a significant increase in the number of matters which OPI has received. These matters also require the review of substantial numbers of witnesses and can often require full-time attention by an OPI attorney. In these circumstances, OPI has little or no ability to shift other cases to attorneys who are not themselves fully occupied with priority matters.

A quicker OPI response to allegations of misconduct would serve as a much more effective deterrent to those prosecutors who would abuse their authority. In addition, if the allegations were meritorious, the integrity of the criminal justice system could be adversely affected -- an innocent person could be wrongly convicted. However, if the allegations were not meritorious, the integrity of the system into question regarding the relative merits, and the public's confidence in the system can be damaged. The Department's attorneys continue to adhere to the highest standards which are expected of the nation's chief law enforcement agency.

To address that issue, Attorney General Barr has instituted a policy that in many cases requires OPI to prepare a summary of the results of its investigation to be submitted to the Attorney General. This summary will be prepared by OPI's attorneys and will be submitted to the Attorney General for his review and signature. In addition, OPI's attorneys will be required to prepare a summary of the results of its investigation to be submitted to the Attorney General for his review and signature. This summary will be prepared by OPI's attorneys and will be submitted to the Attorney General for his review and signature. In addition, OPI's attorneys will be required to prepare a summary of the results of its investigation to be submitted to the Attorney General for his review and signature.

Adding to OPI's caseload is a new requirement that OPI produce a final interview summary for all witnesses in matters involving attorney misconduct. This requirement has further increased the caseload. In such cases each attorney handles and further justifies the need for additional staff. In addition, this requirement will greatly increase the demands on our support staff to produce the functional equivalent of the 1911a 76-302 report of interview for numerous witnesses.

Similarly, the Department's prosecutors and other attorneys should be able to have any allegations of professional misconduct made against them promptly resolved. Delay in resolving such allegations not only adversely affects the professional reputation of the subject attorney, but it also adversely affects the public's perception of all Department attorneys.

General Administration/Justice Management Division
Salaries and Expenses
Justification of Program and Performance
Estimated Budgetary Resources
(Dollars in thousands)

	1976 Availability		1977 Base		1977 Estimate		Increase/Decrease	
	Perm.	MI	Perm.	MI	Perm.	MI	Perm.	MI
Justice Management Division.....	459	459	848,410	459	459	854,200	...	...

GENERAL GOALS AND OBJECTIVES:

To effectively establish department policy, advise the department leadership, and represent the department on all matters pertaining to its organization, management, and administration.

To acquire quality, cost-effective automated systems and products that meet user needs and to manage and provide support for those systems.

To secure sufficient resources through budget and procurement processes and to ensure sound fiscal management of those resources.

To recruit, train, and retain a high quality workforce; provide safe, accessible, and environmentally sound work space; and promote work-life policies that contribute to employee effectiveness and satisfaction.

To increase the number of women and minority hires in key occupations and ensure the timely adjudication of EEO complaints.

EXTERNAL FACTORS:

Enactment of new laws and policies; elimination of regulations, policies and laws; success in obtaining requested budgets; and cooperation and responsiveness of other DOJ components.

BASE PROGRAM DESCRIPTION: To provide advice to senior DOJ officials and develop departmental policies in the areas of management and administration; to ensure compliance by DOJ components with departmental and other federal policies and regulations; and to provide a full range of management and administrative support services.

PROGRAM CHANGES:

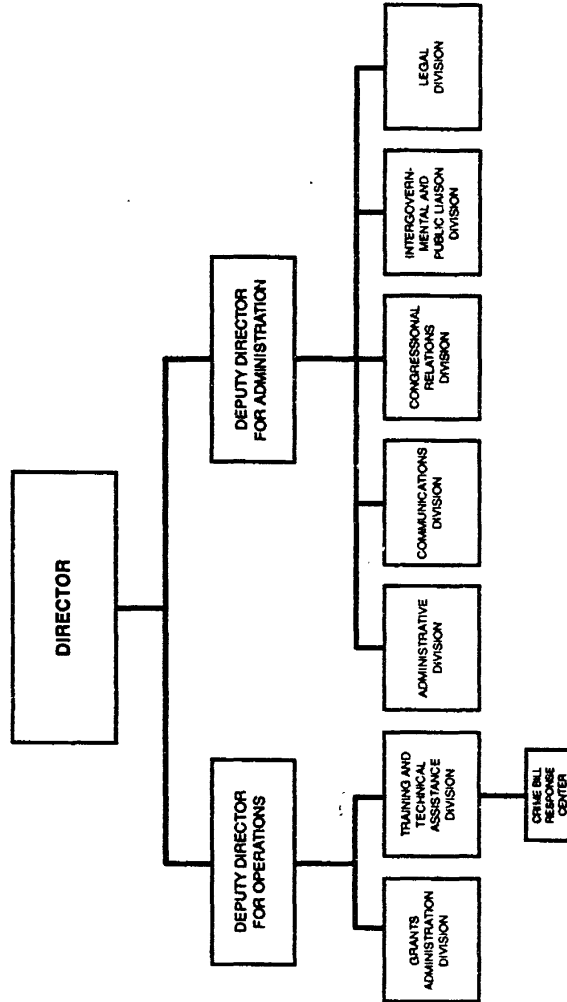
	1977 Base		1977 Estimate		Increase/Decrease	
	Perm.	MI	Perm.	MI	Perm.	MI
Justice Management Division.....	459	459	854,200	459	854,200	...

No program changes are requested in the Justice Management Division.

Department of Justice
Community Oriented Policing Services
Estimates for Fiscal Year 1997
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OFFICE OF COMMUNITY ORIENTED POLICING SERVICES



Approved by: *Janet Reno* Date 3/12/96
JANET RENO
Attorney General

**Community Oriented Policing Services
Scholarship and Education
Summary Statement
Fiscal Year 1997**

The Office of Community Oriented Policing Services (COPS) is requesting, for 1997, a total of \$1,976,155,000, 310 positions, and 288 workyears. This request represents an increase of \$173,155,000, 44 positions, and 22 workyears over the 1996 appropriations anticipated.

The Violent Crime Control and Law Enforcement Act of 1994 established a six-year program to place 100,000 new police officers and sheriffs' deputies on the street to work with citizens to fight crime. The COPS program serves as a critical component of the Administration's strategy to fight violent crime by assisting in the promotion of community policing in areas burdened with problems of drug use and crime, and by supporting local efforts to reduce crime and violence and improve significantly the quality of life in neighborhoods and communities throughout the Nation.

The COPS program includes five budget activities: Public Safety and Community Policing Grants, Management and Administration, Police Corps Grants, Law Enforcement Scholarship Program, and Police Recruitment Grants. The primary initiatives and resource requests for these activities are summarized below.

The Public Safety and Community Policing Grants program provides resources to State, local, and Indian tribal governments to get additional cops on the beat to make our streets safe from crime and violence. This program also provides resources to local law enforcement agencies to design and implement innovative and comprehensive programs to target persistent public safety problems. COPS funds a nationwide program of training and technical assistance to support the implementation of community policing, and a research and evaluation agenda to identify successful community policing approaches to reducing drug-related and other violent crimes. A total of \$1,990,000,000 is requested for the Public Safety and Community Policing Grants program in 1997. This total includes \$1,920,815,000 for the Public Safety and Community Policing Grants program, and 310 positions, 288 workyears, and \$69,185,000 for Management and Administration support.

The Police Corps Grants program is intended to increase the number of police with advanced education and training, and provide educational assistance to students who possess a sincere interest in public service in the form of law enforcement. The program, which requires a four year service obligation by scholarship recipients, is expected to provide the necessary incentives to attract and retain young men and women to a career in law enforcement. A total of \$15,000,000 is requested to establish and implement this program in 1997.

The Law Enforcement Scholarship Program would enable individuals to receive scholarship grants while employed as police officers. This program, like the previously successful Law Enforcement Education Program, would allow police to increase their educational opportunities, and is critical to enhancing State and local law enforcement recruitment, retention, and education. A total of \$10,000,000 is requested to establish and implement this program in 1997.

The Police Recruitment Grants program is designed to recruit and retain applicants to police departments. The program would provide: recruiting services, which include material programs to enable individuals to meet police force academic requirements and to pass entrance examinations; counseling for police applicants who may encounter problems throughout the application process; and retention services to assist individuals to stay in the application process of a police department. A total of \$1,155,000 is requested for this program in 1997.

**Community Oriented Police Services
Initiative and Extension
Justification of Proposed Changes in Appropriation Language**

The 1997 budget estimates include proposed changes in the appropriation language listed and explained below. New language is underscored and deleted matter is omitted in brackets.]

Salaries and Expenses

For activities authorized by Public Law 103-322, including administrative costs, \$1,075,155,000 is available until expended, which shall be used from the Violent Crime Reduction Trust Fund for the period 10/1/97 to 9/30/00. For the period 10/1/97 to 9/30/00, the Trust Fund shall be used for the following purposes: \$1,000,000,000 for the Law Enforcement Scholarship Program, and \$1,155,000 for Police Recruitment Grants.

Continuation of charges

Note: A regular 1996 appropriation for this account had not been enacted at the time this budget was prepared. The 1996 amounts included in this budget are based on levels provided in three continuing resolutions: P.L. 104-97, P.L. 104-92, and P.L. 104-99.

**Community Oriented Policing Services
Salaries and Expenses
Comparison of 1995 Changes
(Dollars in thousands)**

	1995 CR Level		Adjustment for		Reprogramming		1995 Appropriation	
	For.	WY Amount	For.	WY Amount	For.	WY Amount	For.	WY Amount
1. Public Safety and Community Policing Grants...								
2. Police Corps Grants.....	--	\$966,170	--	\$966,409	--	--	--	\$1,773,199
3. Law Enforcement Scholarship Program.....	--	--	--	--	--	--	--	--
4. Police Recruitment Grants.....	--	--	--	--	--	--	--	--
5. Management and Administration.....	130	8,105	130	19,326	--	--	268	27,861
Total.....	130	974,275	130	\$23,143	--	--	268	1,801,060

**Community Outreach Policies Services
Ministry of Agriculture
Primary of Agriculture
(Community Outreach)**

Additionals in Item		New Work		Amount	
1994 Appropriation Available		Est.	XX	Est.	XX
1. Public Policy and Community Policy Office		204	204	1,207,500	
2. Public Policy and Community Policy Office					(20)
3. Public Policy and Community Policy Office					20
4. Public Policy and Community Policy Office					1,214
5. Public Policy and Community Policy Office					1,214
1997 Budget		204	204	1,207,500	
1997 Estimate		204	204	1,207,500	
1997 Estimate (not program available for audit)		204	204	1,207,500	

Additionals in Item		1994 Appropriation Available		1997 Budget		1997 Estimate		1997 Estimate	
1. Public Policy and Community Policy Office		Est.	XX	Est.	XX	Est.	XX	Est.	XX
2. Public Policy and Community Policy Office									
3. Public Policy and Community Policy Office									
4. Public Policy and Community Policy Office									
5. Public Policy and Community Policy Office									
Total		204	204	204	204	204	204	204	204
Total Program		204	204	204	204	204	204	204	204
Total Program		204	204	204	204	204	204	204	204
Other programs									
Overhead									
Total compensation program									

1. Funding to support Management and Administration is derived from the total appropriation and, therefore, does not change the amount of direct base funding requested.

Community Oriented Policing Services
Reimbursable Resources
Summary of Requirements
(Dollars in thousands)

Collection by Source	1995 Actual		1996 Estimate		1997 Estimate		Increase/Decrease	
	Fed.	NY	Fed.	NY	Fed.	NY	Fed.	NY
U.S. Department of Defense	--	--	\$15,000	--	--	--	--	--
Obligations by Program								
Troops to COPs program	--	--	2,335	--	--	--	--	--

The Troops to COPs program, developed in partnership with the U.S. Department of Defense, funds the training of soldiers recently separated from the military and hired as community policing officers. This program is designed to be an incentive for COPs grantees to use their hiring grant funds to hire honorably discharged veterans. In addition, this program promotes specialized community policing training. As authorized under the National Defense Authorization Act for Fiscal Year 1995, 10 U.S.C. § 1132, the Department of Defense provided COPs \$15 million to administer the program in FY 1995. A total of \$2.3 million was obligated in FY 1995; the remaining \$12.7 million will fund continued Troops to COPs grants during FY 1996.

Community Oriented Policing Services
Services and Expenses
Program Performance Information
Government Performance and Results Act Requirements

Mission: The Office of Community Oriented Policing Services (COPS) is dedicated, through partnerships with communities, policing, and other public and private organizations, to the goal of improving significantly the quality of life in neighborhoods and communities throughout the Nation.

This goal will be accomplished by translating the concept of community policing into practice and action in order to reduce levels of violence, crime and disorder through the application of proven, effective programs and strategies. The needs of customers will be met through innovation and responsiveness. The workplace environment will encourage creativity, open communication, full participation, and problem solving.

Finally, these responsibilities will be carried out through a set of core values that reflect the commitment to the highest standard of excellence and integrity in public service. The values we will adhere to are: innovation; effectiveness; flexibility; principle-oriented; and service-oriented.

Organizational Goals:

1. Increase America's cops on the beat by 100,000.
2. Promote community policing by supporting innovative strategies that foster community partnerships and problem solving.
3. Reinforce partnerships and activities that will permanently sustain community policing.
4. Evaluate and demonstrate the effectiveness of community policing to improve the quality of life by reducing the levels of disorder, violence, and crime in our communities.

**Community Oriented Policing Services
Subtitle and Executive
Program Performance Information**
(Dollars in thousands)

ACTIVITY: PUBLIC SAFETY AND COMMUNITY POLICING GRANTS

	Form. Est.	FTE	Amount
Public Safety and Community Policing Grants			
1994 Availability	\$1,775,199
1997 Base	1,775,044
1997 Estimate	3,028,815
Increase/Decrease	144,771

BASE PROGRAM DESCRIPTION: The Public Safety and Community Policing Grants decision unit includes three critical program areas: COPS Hiring Program, COPS Incentive Program, and COPS Training, Technical Assistance, and Evaluation.

BASE PROGRAM DESCRIPTION: COPS Hiring Program. The general goal of COPS Hiring Program is to design, implement, and support discretionary grant programs that provide 100,000 new police officers to communities throughout America. Under the hiring program, at least 85% of the funds available are to be applied to grants for the hiring, rehiring, and redeployment of officers, or the purchase of related equipment and technology, or the payment of overtime. For FY 1997 a total of \$1,328,710,000 (85% of \$1,600,000,000 less amounts allocated for Management and Administration and Training, Technical Assistance, and Evaluation) is being funding is available for COPS Hiring Program.

FY 1995 Goal: To provide funding to support the hiring of approximately 20,000 new officers to participate in community policing.

- As a primary activity, the Office of Community Oriented Policing Services provides competitive grants to states and localities to hire and retain law enforcement officers. Officers hired under these grants are to participate in community policing to combat crime and improve the quality of life in the Nation's cities, towns and rural areas. At least 85% of the total grant program funds are to be used for this purpose. Throughout the authorized life of this program, the COPS Office seeks to support the hiring of additional 100,000 new law enforcement officers, thereby increasing the number of cops on the beat by almost 17% over 1994 levels by the end of FY 1999. In FY 1994 COPS funded 12,000 officers under the Police Hiring

Supplement. In FY 1995, COPS funded a total of 23,871 additional police officers by the end of the fiscal year. Added to the 690 officers funded in FY 1996 with FY 1995 carryforward funding, COPS funded a cumulative total of 26,561 police officers.

Five phases of funding achieved this goal. Each provided Federal funds not exceeding 75% of the total costs of the program or activity funded, unless waived. Hiring grants were made up to 75% of the salary and benefit costs of each officer over three years, not to exceed \$75,000 per officer. The five phases were:

- 1) COPS Phase I (funding of 392 agencies from previous applications under the Police Hiring Supplement). COPS Phase I provided \$200 million in funding to 392 jurisdictions that had previously applied under the Police Hiring Supplement Program. Grants supported the hiring or rehiring of 2,700 law enforcement officers. Grants, as announced in October 1994, have hired and deployed over 1,600 officers to date.
- 2) COPS AHEAD (Accelerated Hiring, Education, and Deployment) program for jurisdictions serving 50,000 or more in population. COPS AHEAD was announced in October 1994 to permit interested agencies to begin recruiting and hiring new officers prior to submission and approval of a formal grant application. Six hundred and thirty-two jurisdictions were given authorization on December 18, 1994 to hire up to 2.5% of their October 1 sworn force level. Over 500 of the agencies formally applied and received funding to continue their plans to deploy over 4,000 officers into community policing activities. Approximately \$294 million of FY 1995 program dollars was dedicated to funding the three-year COPS AHEAD grants.
- 3) COPS FAST (Funding Accelerated for Smaller Towns) program for jurisdictions fewer than 50,000 in population. COPS FAST was announced in November 1994 as a hiring grant program targeted at police agencies serving populations under 50,000. Over 7,000 one-page applications were received by the December 31, 1994 deadline. On February 8, 1995, 6,660 jurisdictions were selected to receive COPS FAST funding, supporting over 7,000 officers for \$410 million.
- 4) COPS MORE (Making Officer Redeployment Effective) program. COPS MORE was announced in December 1994 as a program designed to expand the time available for community policing by current law enforcement officers, rather than funding the hiring or rehiring of additional law enforcement officers. These grants were used to purchase equipment and technology, to process support resources (including civilian personnel), and to pay overtime. The authorizing statute permits up to 20% of hiring grant funds to be used for these purposes in FY 1995 and FY 1996. Applicants were required to demonstrate how funds will result in actual increases in the number of officers deployed in community policing equal to, or greater than, the number of officers which would result from grants of the same amount for hiring new officers. Over 2,200 applications were reviewed. Grants were announced through 1995.
- 5) COPS Universal Hiring program. The COPS Universal Hiring Program was announced in June 1995. This program is open to all policing agencies and to applicants seeking to start a new department. There are no population restrictions. It is anticipated that Universal Hiring will be an ongoing program, with multiple application deadlines and funding rounds into future years. Current COPS grants will be contacted separately as they will not be required to submit a full application again.

EX 1996 Goal: To provide funding to support the hiring of an additional 22,111 new officers to participate in community policing.

- In FY 1996, the COPS Office will continue the Universal Hiring program as its primary hiring grant mechanism. The Universal Hiring program includes applications submitted by agencies or communities not currently COPS grantees, as well as current COPS grantees seeking additional resources. In the latter cases, the COPS Office will rely upon the previously submitted Community Policing Plans as application materials. The Universal Hiring program will provide Federal funds not exceeding 75% of the total costs of the program or activity funded, unless a waiver is approved. For hiring, grants are made for up to 75% of the salary and benefit costs of each officer over three years, not to exceed \$75,000 per officer. The COPS Office also intends to fund additional COPS MORE applications in FY 1996, from applications submitted but not funded in FY 1995 and for a new round of proposals.

EX 1997 Goal: To provide funding to support the hiring of an additional 19,005 new officers to participate in community policing.

- Continued funding of Universal Hiring grants is contemplated for FY 1997. The COPS Office also intends to continue funding COPS MORE applications in FY 1997. These will include continuation funding for civilians and overtime that were funded in FY 1995 and FY 1996. The authorizing statute permits up to 10% of hiring grant funds to be used for these purposes in FY 1997.

BASE PROGRAM DESCRIPTION: COPS Innovative Program. The general goal of COPS Innovative Programs is to design and implement programs that support innovative strategies and encourage policing agencies and communities to address public safety issues through partnerships using problem-solving strategies. Under the authorizing statute, up to 15% of the funds available may be applied to other grants in support of the purposes of the Public Safety and Community Policing Grants program. For FY 1997, a total of \$394,079,000 (15% of \$1,803,000,000 less amounts allocated for Management and Administration, Training, Technical Assistance, and Evaluation, and COPS Hiring Programs) in base funding is available for COPS Innovative Programs.

Goal: Provide support to agencies which either are fully engaged in or transitioning to community policing to:

- serve as community policing centers or demonstration sites;
- engage in focused problem-oriented policing and work in partnership with community members;
- undergo major changes in the organization in support of community policing; and
- develop community policing training.

In FY 1995 the COPS Office implemented this goal through several grantmaking strategies. Grants were made for a period of one year, with a possibility for renewal.

- Comprehensive Communities Program (CCP). The CCP seeks to encourage the development and implementation of comprehensive crime control and crime prevention strategies by communities faced with high rates of violent and drug-related crime. The two principles of the CCP are: 1) that communities must take a leadership role in developing partnerships to combat crime and violence, and 2) that state and local jurisdictions must establish truly coordinated and multi-disciplinary approaches to address crime- and violence-related problems, as well as the conditions which foster them.

Strategies may be developed by communities and private agencies, and efforts made that would encourage citizens to take an active role in addressing crime-related problems.

Sixteen jurisdictions were awarded CCF grants by the Bureau of Justice Assistance (BJA). Award amounts range from \$1.5 million to \$2.2 million. Subsequently, the COPS Office entered into a Memorandum of Understanding with BJA to fund the community policing component in the following 10 CCF sites: Boston, MA; Wichita, KS; Seattle, WA; Fort Worth, TX; East Bay, CA; Columbia, SC; Washington, D.C.; Wilmington, DE; Phoenix, AZ; and Omaha, NE.

- Youth Programs Initiative. Under this grant program, the COPS Office funded ten jurisdictions to reduce the use of firearms among juveniles through community policing strategies. Enforcement, prevention, and suppression tactics are being implemented by these ten sites.
- Community Policing Demonstration Projects. This program area includes support for continuation of a series of Community Policing Demonstration projects originally developed by BJA. Fifteen law enforcement agencies across the country were selected by BJA as demonstration sites based upon their progress in implementing community oriented policing in their jurisdictions. The COPS Office is supporting these projects starting with the second year of funding. The lessons learned from these sites in the implementation and further development of community-oriented policing will provide timely and useful information to policy makers and practitioners nationwide who are considering initiating or further refining community policing in their own jurisdictions.
- Community Policing Initiatives Focused on Employment Zones. The COPS Office is partnering with the Office of Juvenile Justice and Delinquency Prevention and the Community Relations Service, are working together to develop and field-test a youth-oriented community policing demonstration within urban Employment Zones. The goal of the program is to assist these jurisdictions in choosing from a menu of effective police-youth program strategies for implementation. COPS technical assistance and training resources, coordinated with COPS grant monies, can be used to create a package designed to help jurisdictions assess delinquency prevention and control needs, and either select strategies that have worked in similarly-situated jurisdictions to meet similar needs or design innovative approaches to meet local needs.
- Community Policing to Combat Domestic Violence. This program, announced in September 1995, focuses on training, problem-solving, and changing police organizations to reduce domestic violence across the country.

In FY 1996 and FY 1997 the COPS Office plans to implement the following grantmaking strategies. Each strategy will provide 75 % of the total project cost unless a waiver is approved. These grants also will be made for a period of one year, with a possibility for renewal.

- Innovative Community Policing Grants. This grant program will focus on the following four areas:
 - 1) Community Policing Centers. In FY 1996, the COPS Office will begin to fully implement new grant programs which encourage agencies to develop and establish new administrative and managerial systems to facilitate the adoption of community policing as an organization-wide philosophy. This grant program would establish and support up to 25 Community Policing Centers, annually. It would be targeted at large

agencies which have demonstrated their commitment and abilities to institutionalize community policing department-wide and which document their willingness to work with other agencies in their region.

Centers would support the testing of different organizational strategies within the structure of law enforcement agencies. For example, one of the major issues within community policing is the development of performance measures for officers and managers. Testing new measures within departments might be of benefit to the organization and other agencies across the country. Other topics could include: an examination of selection and hiring practices; changing screening procedures; working through union problems; determining the role of supervisor in community policing; examining the issue of "civilization"; examining the issue of decentralization; developing programs that "empower" the community; developing programs that "empower" police officers; transferring business practices and ideas to community policing; and studying organizational change.

Problem Solving Partnerships. This grant program would provide support for agencies to address a specific local problem using systematic problem-solving techniques. Agencies would be asked to identify a specific problem and to develop a strategy for resolving that problem. Problem-solving projects focusing on domestic violence, gangs, drugs, youth/juveniles, violence, firearms reduction efforts, schools, and public housing will be encouraged. Support would be provided for equipment and resources used to address that specific problem. The program will also emphasize the development of partnerships with community organizations.

Organizational Change. Policing agencies which are working either to restructure or to devise strategic plans to fully implement community policing department-wide would be able to apply for this grant program. Funds would be provided to support review of current policies and practices, to develop strategic plans, and to obtain the resources necessary to implement various community policing strategies.

Community Policing Training. Under this grant program, efforts will be supported to identify, develop, and test training materials focused on community policing strategies, organization issues, partnership development or specific issue related problem-solving techniques. Agencies will be encouraged to work with training academies, universities and other organizations to identify needs and devise materials.

COPS Anti-Gang Initiative. Building on the Youth Firearms Initiative, the COPS Office will fund fifteen jurisdictions to establish and expand innovative policing efforts directed against criminal gangs.

BASE PROGRAM DESCRIPTION: COPS Training, Technical Assistance, and Evaluation. The general goal of COPS Training, Technical Assistance, and Evaluation is to design, implement and support programs that reinforce personnel and activities to deliver training and technical assistance that will permanently sustain community policing by integrating community partnerships and problem-solving into regional, state, local, and Indian tribal police and community groups and activities and to perform and promote evaluations of various community policing strategies to determine their effectiveness. Under the existing grant program up to 3% of the funds available may be used for technical assistance and evaluation, and other studies. For FY 1997, a total of \$51,255,000 (3% of \$1,693,000,000 less amounts allocated for Management and Administration) in base funding is available for COPS Training, Technical Assistance, and Evaluation.

EX. 1995 Goal: Identify the training and technical assistance needs of COPS grantees and begin to address these needs by providing grant specific training and technical assistance.

- As part of the application and grant process, the COPS Office has collected information which is being used to determine the training and technical assistance needs in a systematic way. Based on this information, COPS staff are providing limited technical assistance and working with various organizations to devise training material for use by current COPS grantees. In addition, preliminary technical assistance written comments are being provided to specific COPS AHEAD grantees.
- In FY 1995, the COPS Office entered into a Cooperative Agreement with the Community Policing Consortium (CPC). The CPC was established and funded by the Bureau of Justice Assistance, and is a joint effort of the International Association of Chiefs of Police, the Police Foundation, the Police Executive Research Foundation, the National Sheriff's Association, and the National Organization of Black Law Enforcement Executives. Under the FY 1995 Cooperative Agreement, the CPC will provide a baseline level of information about community policing through the dissemination of newsletters, monographs, and access to referral and electronic information to all COPS grantees. Opportunities to attend State and regional training, and site-specific technical assistance, will be offered to smaller subsets of the population of COPS grantees.
- Under this program area, COPS staff also will concentrate on the development of training curriculum and the delivery of training at all levels within law enforcement agencies. This would include training for recruits, in-service patrol officers, supervisors, mid-level managers, command staff, and the community. National assessments of training will be undertaken to determine the nature and scope of training with regard to community policing. Eventually, grants or contracts may be made to State and local training academies, universities, and law enforcement agencies for the modification of curricula to focus on community policing and for the delivery of such training. Adapted training curricula should be developed for urban police, county sheriff's, rural police, special groups (transit police, campus police, public housing, and others), Indian reservations, and State police.
- In addition, a total of \$15 million in reimbursement has been provided from the U.S. Department of Defense to implement the Troops to COPS program. The Troops to COPS program, developed in partnership with the U.S. Department of Defense, provides up to \$5,000 per officer for community policing training for those COPS-funded officers who are honorably discharged veterans. This program is designed to be an incentive for COPS grantees to use their living grant funds to hire honorably discharged veterans. In addition, it promotes specialized community policing training. Up to 3,000 grants to current COPS grantees will be made to support the training of qualifying veterans.

EX. 1996-97 Goal: Continue to provide quality training and technical assistance to enable COPS grantees to successfully transition to and sustain community policing. Perform research and evaluations of community policing strategies.

- The COPS Office, through its Training and Technical Assistance staff and through grants and cooperative agreements to service providers, will seek to provide all COPS grantees with timely and appropriate assistance to achieve a successful transition to agency-wide community policing, and to maintain and support the community policing approaches over the long-term following conclusion of Federal support. It is likely that such assistance and other feedback will lead to year-by-year shifts of the emphasis of training and technical assistance activities. For instance, the preponderance of FY 1995 assistance focused on the basics of community policing for agencies that had no previous exposure to the subject. In FY 1996-97, the emphasis

will shift to more "advanced" subjects, such as managing organizational change and strategic planning. The COPS Office also will continue to focus on supporting the organizations and agencies located throughout the country that will provide this type of support over the long-term.

Perform evaluations of community policing strategies. The COPS Office will conduct descriptive assessments of tactics, strategies, and structures that form the elements of community policing. These evaluations will use the following types of data:

- crimes reported to police, including violent offenses;
- information on victims of crime; and
- citizen surveys to determine the effects of community policing on perceptions of fear, improvements in the quality of life, and satisfaction with police services.

A wide variety of program elements will also be evaluated, such as various crime prevention efforts, self-violence programs, public education strategies, and community development efforts—particularly as they related to community policing. Certain field tactics like foot and bike patrols and coordinated civil/criminal enforcement need to be assessed.

Promote evaluations of and research into community policing strategies. The National Institute of Justice (NIJ) will oversee an independent national assessment of the COPS program, concentrating especially on the impact of the 85% of funds designated for putting more officers on the street. It will attempt to assess the total effect that the COPS program has had on the structure and delivery of police services across the nation.

NIJ also will sponsor a wide array of research activities to inform policymaking by the COPS Office, and to make available widely information about state-of-the-art approaches and strategies for community policing.

INITIATIVES

Perm. Fns.	FTE	Amount
-	-	\$144,771

Public Safety and Community Policing Grants

A program increase of \$144,771,000 is requested for Public Safety and Community Policing Grants in FY 1997. The increase would provide a total funding level of \$1,920,812,000 for Public Safety and Community Policing Grants in FY 1997.

Under the Public Safety and Community Policing Grants decision unit, the requested funding would support COPS Hiring Programs, COPS Innovative Programs, and COPS Training, Technical Assistance, and Evaluation. Pursuant to the authorizing statute, the requested funding would be distributed consistent with the formulas specified in the statute. The increase would provide a total funding level of \$1,583,712,000 (85%) to support COPS Hiring Programs in FY 1997. These resources would be used to provide continued funding of Universal Hiring and COPS MORE grants, and are critical to achieving the goal of hiring an additional 19,005 police officers in FY 1997. Moreover, full funding of this program is critical to achieving the Administration's long-term goal of putting a total of 100,000 new police officers, dedicated to community policing, into neighborhoods and communities throughout our nation.

The increase would also provide a total funding level of \$279,479,000 (15%) to fund COPS Innovative Programs in FY 1997. These resources would be used to provide support to agencies which either are fully engaged in or transitioning to community policing, and to support the implementation of innovative programs, including Community Policing Centers, Problem Solving Partnerships, Organizational Change, and Community Policing Training.

In addition, the increase would provide a total funding level of \$57,624,000 (3%) to fund COPS Training, Technical Assistance, and Evaluation in FY 1997. These resources would be used to provide training and technical assistance to enable COPS grantees to successfully transition to and sustain community policing, as well as to perform research and evaluations of community policing strategies.

PERFORMANCE MEASUREMENT TABLE: PRESENTED BY DECISION UNIT

NAME OF DECISION UNIT: Public Safety and Community Policing Grants		PERFORMANCE TARGETS AND ACTUAL RESULTS					
PERFORMANCE INDICATOR INFORMATION		1993	1994	1995	1996	1997	
Type of Indicator	Performance Indicators	Actual	Actual	Target	Actual	Target	
Input	<p>COPS HIRING PROGRAMS:</p> <p><i>Program Development and Processing Grant Awards</i></p> <p>*1. Number of staff hours dedicated to program development (Programs: AHEAD, FAST, Universal)</p> <p>*2. Number of staff hours dedicated to review of grant materials and processing of grants (Programs: AHEAD, FAST, Universal)</p> <p>3. Number of staff hours and reimbursed time to conduct financial reviews</p> <p>4. Amount of time spent on developing successful reinvestment and process redesign initiatives in processing applications</p> <p>5. Number of staff hours spent on senior level policy decision meetings held to interpret and effectuate the intent of the legislation with respect to hiring programs</p>	...	...	7,000 hours	7,830 hours	588 hours
		...	...	23,000 hours	31,849 hours	32,500 hours
		...	...	5,000 hours	9,600 hours	3,246 hours
		...	...	500 hours	400 hours	200 hours
		...	...	...	58 hours	50 hours

PERFORMANCE MEASUREMENT TABLE: PRESENTED BY DECISION UNIT

NAME OF DECISION UNIT: Public Safety and Community Policing Grants						
PERFORMANCE INDICATOR INFORMATION		PERFORMANCE TARGETS AND ACTUAL RESULTS				
Type of Indicator	Performance Indicators	1993 Actual	1994 Actual	1995 Target	1995 Actual	1996 Target
Output	COPS HIRING PROGRAMS:					
	Monitoring Activities					
	6. Number of hours spent by staff on monitoring activities	...	...	17,440 hours	18,600 hours	39,000 hours
	7. Number of COPS office and grant advisor initiated grantee contact per year	...	...	65,000	76,700	253,500
	Phone calls	...	...	6,500	10,140	33,800
	Letters	...	...	78	23	780
	Site visits	...	...	130	109	65
	8. Time spent improving or redesigning progress reporting methods	...	...	...	...	65 hours

NAME OF DECISION UNIT: Public Safety and Community Policing Grants									
PERFORMANCE INDICATOR INFORMATION		PERFORMANCE TARGETS AND ACTUAL RESULTS							
Type of Indicator	Performance Indicators	1993 Actual	1994 Actual	1995 Target	1995 Actual	1996 Target	1997 Target		
Output/Activity	COPS HIRING PROGRAMS: Program Development and Processing Grant Awards								
	*9. Number of applications received and reviewed by COPS staff	...	...	...	...	...	...
	AHEAD	...	...	400	900	...	...
	FAST	...	...	4,000	7,200	...	...
	Universal	...	...	2,000	3,221	6,000	6,000		
	Total	...	...	7,400	13,577	6,000	6,000		
	*10. Number of grant awards	...	...	...	...	...	...
	Total	...	...	200	362	...	...
	AHEAD	...	...	300	507	...	...
	FAST	...	...	4,000	5,869	...	...
	Universal	...	...	2,000	3,221	5,000	5,000		
	Total	...	...	7,500	6,823	5,000	5,000		
	*11. Total funding level for COPS Hiring Programs (in billions)	...	...	\$1.00	\$0.988	\$1.14	\$1.425		
	12. Number of reinvestment/process initiatives launched	...	...	1	5	2	3		
	Monitoring Activities	...	...	...	...	...	...
	13. Percentage of grantees determined to be in full compliance	...	...	95%	77%	95%	95%		
	14. Percentage of successfully completed grants	...	...	...	...	...	95%		
	15. Percentage of semi-annual progress reports received on-time and complete	...	...	75%	80%	75%	75%		

NAME OF DECISION UNIT: Public Safety and Community Policing Grants									
PERFORMANCE INDICATOR INFORMATION		PERFORMANCE TARGETS AND ACTUAL RESULTS							
Type of Indicator	Performance Indicators	1993 Actual	1994 Actual	1995 Target	1995 Actual	1996 Target	1997 Target		
Intermediate Outcome	COPS HIRING PROGRAMS:								
	<i>Program Development and Processing Grant Awards</i>								
	16. Percentage of population reached by hiring programs	...	...	50%	82%	85%	90%		
	17. Amount of time saved/paper or forms eliminated/amount of automation employed FAST. Universal (25 hours saved per application); AHEAD (3 hours saved per application)	...	...	176,200 hours	248,738 hours	150,000 hours	150,000 hours		
	<i>Monitoring Activities</i>								
	18. Overall time saved on progress reporting ** (in demonstration of electronic responses for progress reports are delayed by delays with technology innovations)	...	...	32,000 hours	**2,373 hours	64,000 hours	96,000 hours		
	19. Percentage of quality, useful responses	...	...	75%	75%	80%	85%		
	20. Percentage of awardees accepting the grant	...	...	80%	91%	80%	80%		
	21. Percentage of grantees making electronic submissions of progress reports (only 25% of total were eligible)	...	...	50%	68%	75%	80%		

NAME OF DECISION UNIT: Public Safety and Community Policing Grants		PERFORMANCE TARGETS AND ACTUAL RESULTS					
PERFORMANCE INDICATOR INFORMATION							
Type of Indicator	Performance Indicators	1993 Actual	1994 Actual	1995 Target	1995 Actual	1996 Target	1997 Target
End Outcome	Increasing America's cops on the beat by 100,000 <i>Program Development and Processing Grant Awards</i> *22. Number of additional police officers (FY 1994 includes 2,020 PHIS-funded hires; FY 1995 includes \$7 ICOP-funded hires) <i>Monitoring Activities</i> *23. Monitoring the number of additional police officers	...	2,020	13,333	14,403	13,831	19,003
		...	2,020	13,333	16,423	30,274	49,279

NAME OF DECISION UNIT: Public Safety and Community Policing Grants		PERFORMANCE TARGETS AND ACTUAL RESULTS					
Type of Indicator	Performance Indicators	PERFORMANCE INDICATOR INFORMATION					
		1993 Actual	1994 Actual	1995 Target	1995 Actual	1996 Target	1997 Target
Productivity/ Efficiency	Program Development and Processing Grant Awards						
	24. Applications received per COPS staff hour expended	...	...	1.06 app/ hour	1.72 app/ hour	10.2 app/ hour	10.2 app/ hour
	25. Grants funded per COPS staff hour expended	...	...	0.33 app/ hour	0.21 app/ hour	0.15 app/ hour	0.15 app/ hour
	26. Time saved per staff hour expended on reintegration concepts	...	...	322.4 hours saved/ hour expended	621.8 hours saved/ hour expended	750 hours saved/ hour expended	750 hours saved/ hour expended
	Monitoring Activities						
	27. Monitoring hours per grant	...	...	1.3 hours/ grant	2.7 hours/ grant	3.3 hours/ grant	3.9 hours/ grant
	28. Monitoring hours per officer gained	...	...	1.3 hours/ officer	1.1 hours/ officer	1.3 hours/ officer	1.3 hours/ officer
	29. Phone calls, letters, site visits per grant advisor	...	...	2,237 contacts /advisor	5,049 contacts /advisor	2,881 contacts /advisor	2,764 contacts /advisor
	30. Time saved per time expended for progress report design	...	...	246 hours	22 hours	368 hours	402 hours

<p>A. Definitions of Terms or Explanations for Indicators.</p>	<p>Staff hours dedicated to program development are hours spent designing application materials and making initial funding decisions. Staff hours dedicated to reviewing grant materials and processing grants includes all hours spent on data entry, material review and quality control steps as well as budget analysis. Relevance items include manuals to clarify government terminology and processes for grantees, redesigned application forms, and new financial management systems.</p> <p>Monitoring grants is one of the most time consuming tasks of the COPS Office over the long term. Monitoring involves phone calls, tracking progress reports, and coordinating activities to ensure that the grants are in full compliance with the legal requirements of the grants. COPS staff spent time designing a user-friendly, yet complete progress report. Over time it will save approximately 2 hours per subrecipient.</p>
<p>B. Factors Affecting FY 96 Program Performance.</p>	<p>COPS staff have expended extensive hours designing hiring applications and processes to ensure efficiency over the six years of the program. In the one year, COPS staff will only refine application materials developed in FY 1995. The COPS Office received far more applications than anticipated for every program announced. This anticipated volume resulted in additional staff hours and an emphasis on retention programs.</p> <p>COPS intends for hiring grants are for three years. Successful completion of grants made in 1995 will not occur until 1998. The grant acceptance rate is lower because agencies must commit to a local match that covers the three year period and increase that retention of a hired officer will take place after the grant expires.</p>
<p>C. Factors Affecting Selection of FY 96 and 97 Targets.</p>	<p>Application materials have been developed for use over multiple years.</p> <p>COPS anticipates that the electronic transfer of data between the COPS Office and jurisdictions will be fully implemented and accessible in FY 1997.</p>

PERFORMANCE MEASUREMENT TABLE: PRESENTED BY DECISION UNIT

NAME OF DECISION UNIT: Public Safety and Community Policing Grants		PERFORMANCE TARGETS AND ACTUAL RESULTS						
PERFORMANCE INDICATOR INFORMATION		1993	1994	1995	1996	1997		
Type of Indicator	Performance Indicators	Actual	Actual	Target	Actual	Target		
Input	COPS REDEPLOYMENT PROGRAMS:							
	Monitoring Activities							
	*6. Number of hours spent by staff on monitoring activities	...	...	4,160 hours	...	18,200 hours	22,750 hours	
	*7. Number of COPS office and grant advisor initiated grants contacts per year	...	...	33,000	40,590	134,500	163,800	
	Phone Calls (15 per day)	...	...	3,500	11,100	18,200	21,840	
	Letters	...	...	42	26	4,200	504	
	Site visits	...	...	70 hours	188 hours	35 hours	35 hours	
	*8. Time spent improving or redesigning progress reporting methods	...	...	...	...	...	...

NAME OF DECISION UNIT: Public Safety and Community Policing Grants		PERFORMANCE TARGETS AND ACTUAL RESULTS					
PERFORMANCE INDICATOR INFORMATION							
Type of Indicator	Performance Indicators	1993 Actual	1994 Actual	1995 Target	1995 Actual	1996 Target	1997 Target
Original Activity	COPS REDEPLOYMENT PROGRAMS:						
	<i>Program Development and Processing Grant Awards</i>						
	9. Number of applications received and reviewed by COPS staff	...	...	1,100	2,200	4,000	4,000*
	MORE ("renewals")						
	10. Number of grant awards	...	...	500	415	4,000	4,000*
	MORE ("renewals")						
	*11. Total funding level for COPS Redeployment	...	...	\$150 million	\$159 million	\$266 million	\$158 million
	12. Number of reintegration/process initiatives launched	...	...	1	1	1	...
	<i>Monitoring</i>						
	13. Percentage of grantees determined to be in full compliance	...	...	95%	n/a	95%	95%
	14. Percentage of successfully completed grants	...	...	...	...	...	95%
	15. Percentage of grantees satisfied with interactions with the COPS Office	...	...	80%	unknown	90%	95%
	16. Percentage of semi-annual progress reports received on-time and complete	...	...	75%	n/a	75%	75%

NAME OF DECISION UNIT: Public Safety and Community Policing Grants									
PERFORMANCE INDICATOR INFORMATION		PERFORMANCE TARGETS AND ACTUAL RESULTS							
Type of Indicator	Performance Indicators	1993 Actual	1994 Actual	1995 Target	1995 Actual	1996 Target	1997 Target		
Intermediate Outcomes	COPS REDEPLOYMENT PROGRAMS:								
	Program Development and Processing Grant Awards								
	17. Amount of time saved/paper or forms eliminated/amount of automation employed MORE (3 hours saved per application)	...	...	3,300 hours	6,600 hours	12,000 hours	12,000 hours		
	Monitoring	...	...	80%	99%	80%	80%		
End Outcome	18. Percentage of invoices accepting the grant	...	...	50%	n/a	75%	80%		
	19. Percentage of grantees making electronic submissions of progress reports	...	...	...	...	...	...
	Increasing America's cops on the beat by 100,000	...	...	6,000	9,468	9,150	...		
	Program Development and Processing Grant Awards	...	...	...	...	...	...
	*20. Number of additional police officers (FY 1996 includes new hires and renewals; FY 1997 renewals only)	...	...	6,667	9,468	18,618	18,618		
	Monitoring	...	...	...	...	...	...
	*21. Monitoring the number of additional police officers	...	...	...	...	...	...

NAME OF DECISION UNIT: Public Safety and Community Policing Grants		PERFORMANCE TARGETS AND ACTUAL RESULTS						
PERFORMANCE INDICATOR INFORMATION								
Type of Indicator	Performance Indicators	1993 Actual	1994 Actual	1995 Target	1995 Actual	1996 Target	1997 Target	
Productivity/ Efficiency	Program Development and Processing Grant Awards							
	22. Applications received per COPS staff hour expended	..	..	0.37 app/hour	1.25 app/hour	0.46 app/hour	2.67 app/hour
	23. Grants funded per COPS staff hour expended	..	..	0.07 app/hour	0.05 app/hour	0.15 app/hour	0.28 app/hour
	24. Time saved per staff hour expended on reintegration concepts	..	..	6.6 hours saved/hour expended	16.5 hours saved/hour expended	60 hours saved/hour expended	60 hours saved/hour expended
	Monitoring							
	25. Monitoring hour: per grant	..	..	0.32 hours/grant	.. hours/grant	4.55 hours/grant	5.69 hours/grant
	26. Monitoring hours per officer gained	..	..	0.63 hours/officer	.. hours/officer	0.98 hours/officer	1.16 hours/officer
	27. Phone calls, letters, site visits per grant advisor	..	..	1204.4 contacts/advisor	1646.1 contacts/advisor	1589.0 contacts/advisor	1489.2 contacts/advisor

<p>A. Definitions of Terms or Explanations for Indicators.</p> <p>Staff hours dedicated to program development are hours spent designing application materials and making initial funding decisions. Staff hours dedicated to reviewing grant materials and processing grant includes all hours spent on data entry, material review and quality control steps as well as budget analysis. Narration items include manuals to clarify government terminology and processes for grants, redesigned application forms, and new financial management systems.</p> <p>Monitoring grants is one of the most time consuming tasks of the COPS Office over the long term. Monitoring involves phone calls, tracking progress reports, and coordinating activities to ensure that the grants are in full compliance with the legal requirements of the grant. COPS staff spent time designing a user-friendly, yet complete progress report. Over time it will save approximately 2 hours per submission.</p>	
<p>B. Factors Affecting FY 96 Program Performance.</p>	
<p>C. Factors Affecting Selection of FY 96 and 97 Targets.</p>	

Indicators are indicators currently in operation. FY96 program change. A performance indicator is a target used to set the standards for the indicator. Indicators are used to

PERFORMANCE MEASUREMENT TABLE PRESENTED BY DECISION UNIT

NAME OF DECISION UNIT: Public Safety and Community Policing Grants		PERFORMANCE TARGETS AND ACTUAL RESULTS						
PERFORMANCE INDICATOR INFORMATION		1993	1994	1995	1996	1997		
Type of Indicator	Performance Indicators	Actual	Actual	Target	Actual	Target		
Input	COPS INNOVATIVE PROGRAMS: Program Development and Processing							
	1. Number of external input activities: meetings, hearings and request for comments	...	...	10	10	10	15	
	*2. Number of staff hours spent in program development and process team	...	...	4,000 hours	3,654 hours	39,000 hours	43,333 hours	
	3. Number of staff hours spent on senior policy decision meetings	...	...	40 hours	32 hours	48 hours	64 hours	
	Monitoring							
	*4. Number of staff hours spent monitoring innovative community policing grants	...	...	6,000 hours	1,000 hours	52,000 hours	62,337 hours	

NAME OF DECISION UNIT: Public Safety and Community Policing Grants		PERFORMANCE TARGETS AND ACTUAL RESULTS						
PERFORMANCE INDICATOR INFORMATION		1993 Actual	1994 Actual	1995 Target	1995 Actual	1996 Target	1997 Target	
Type of Indicator	Performance Indicators							
Output/ Activity	COPS INNOVATIVE PROGRAMS:							
	5. Number of program concepts developed and issued	...	...	8	2	5	5
	*6. Number/funding level (in millions) of applications received							
	Innovative Community Policing Grants:							
	Community Policing Centers/Demonstrations	...	...	20-\$60	...	60-\$75	60-\$120
	Problem Oriented Policing/Partnerships	...	...	100-\$7.5	...	1200-\$180	1000-\$52
	Organizational Change	...	...	100-\$15	...	500-\$125	200-\$15
	Community Policing Training	...	...	100-\$7.5	...	120-\$70	150-\$50
	Interagency Projects (e.g., CCP, empowerment zones, youth handguns, domestic violence)	...	...	20-\$20	40-\$25	700-\$100	40-\$35
	*7. Number/funding level (in millions) of grants processed							
	Innovative Community Policing Grants:							
	Community Policing Centers/Demonstrations	...	...	15-\$7.5	...	50-\$50	32-\$75
	Problem Oriented Policing/Partnerships	...	...	90-\$6.25	...	1000-\$150	500-\$52
	Organizational Change	...	...	90-\$7.5	...	400-\$100	200-\$15
	Community Policing Training	...	...	15-\$15	...	100-\$59	100-\$100
	Interagency Projects (e.g., CCP, empowerment zones, youth handguns, domestic violence)	...	...	35-\$30	24-\$19	550-\$65	40-\$37

NAME OF DECISION UNIT: Public Safety and Community Policing Grants									
PERFORMANCE INDICATOR INFORMATION		PERFORMANCE TARGETS AND ACTUAL RESULTS							
Type of Indicator	Performance Indicators	1993 Actual	1994 Actual	1995 Target	1995 Actual	1996 Target	1997 Target		
Intermediate Outcomes	COPS INNOVATIVE PROGRAMS:								
	8. Number of programs developed with a problem-solving approach	...	...	30	...	70	100		
	9. Number of partnerships developed	...	...	30	15	100	150		
	10. Number of prevention initiatives undertaken	...	...	30	...	100	120		
	11. Number of consortia formed	...	...	15	5	25	35		
	12. Number of innovations tested	...	...	10	1	20	30		
End Outcome	13. Number of departments promoting a departmentwide community policing philosophy within the innovative program	...	...	50%	unknown	75%	80%		
	14. Number of departments transitioning to community policing within the innovative program	...	...	25%	unknown	75%	80%		
Productivity/Efficiency	15. Staff hours expended per application received	...	...	11.8 hours/application	91.3 hours/application	15.1 hours/application	29.8 hours/application		
	16. Staff hours spent monitoring per funded grant	...	...	36.4 hours/application	41.7 hours/application	24.8 hours/application	52.1 hours/application		

A. Definitions of Terms or Explanations for Indicators.	
COPS Innovative Programs are designed to encourage philosophical change in policing. Therefore, more time is required to develop and monitor the programs as they increase in number and complexity. Program Outcomes are not amenable to quantifiable measures because the anticipated Outcomes are behavioral and attitudinal shifts in the way police conduct their daily operations.	
B. Factors Affecting FY 95 Program Performance.	
In FY 1995, initial planning and development of COPS Innovative Programs was undertaken.	
C. Factors Affecting Selection of FY 96 and 97 Targets.	
In FY 1996 and FY 1997, COPS plans to fully implement COPS Innovative Programs. The FY 1996 and FY 1997 target estimates increase as the number and complexity of COPS Innovative Programs increases over time.	

Programs in indicators covering a requested 1997 program change. A performance indicator and target must be set for the results that will be obtained based on resources to be received.

PERFORMANCE MEASUREMENT TABLE: PRESENTED BY DECISION UNIT

NAME OF DECISION UNIT: Public Safety and Community Policing Grants		PERFORMANCE TARGETS AND ACTUAL RESULTS						
PERFORMANCE INDICATOR INFORMATION								
Type of Indicator	Performance Indicators	1993 Actual	1994 Actual	1995 Target	1995 Actual	1996 Target	1997 Target	
Target	TRAINING AND TECHNICAL ASSISTANCE:							
	1. Percentage of grants requiring technical assistance as demonstrated by review of the grants which receive technical assistance suggestions	...	...	50%	15%	15%	20%
	*2. Staff time dedicated to training and technical assistance	...	...	8,320 hours	4,800 hours	37,440 hours	41,600 hours
	*3. Time expended to develop model community policing training materials and delivery systems	...	...	...	120 hours	...	...
	4. Staff time spent encouraging departments to use community policing training techniques to improve their operations including problem solving, organizational change efforts and partnership development	...	...	10%	15%	15%	15%
	5. Number of training services encouraged to include model community policing curriculum in ongoing training processes	...	...	5	5	10	15
	*6. Time spent developing and implementing Troops to Corps training incentive program	...	...	3,000 hours	3,080 hours	1,000 hours	...

NAME OF DECISION UNIT: Public Safety and Community Policing Grants									
PERFORMANCE INDICATOR INFORMATION		PERFORMANCE TARGETS AND ACTUAL RESULTS							
Type of Indicator/Activity	Performance Indicators	1993 Actual	1994 Actual	1995 Target	1995 Actual	1996 Target	1997 Target		
Outcome/Activity	TRAINING AND TECHNICAL ASSISTANCE:								
	7. Number of technical assistance suggestions implemented; demonstrated in progress reports	...	...	80%	75%	85%	85%		
	8. Number of requests for technical assistance and training answered by COPS staff	...	...	2,000	3,000	3,500	3,000		
	9. Number of newsletters and monographs disseminated; number of referrals and electronic information requests	...	...	30,000	15,000	468,000	500,000		
	10. Number of standardized packages of materials developed for guidance and implementation of community policing	...	...	6	3	10	15		
	11. Number of requests made: basic, intermediate, and advanced	...	...	10,000	7,000	10,000	10,000		
	12. Number of training services institutionalizing community policing curriculum (State and local)	...	...	50	25	100	250		
	13. Number of recently separated veterans receiving training as community policing officers under the Troops to Cops Program	...	...	3,000	...	...	...
	14. Number of jurisdictions (participants) attending specialized community policing training	...	...	1,200 (2,400)	1,200 (2,400)	1,700 (4,000)	2,000 (8,000)		
Intermediate Outcome									

PERFORMANCE MEASUREMENT TABLE: PRESENTED BY DECISION UNIT

NAME OF DECISION UNIT: Public Safety and Community Policing Grants		PERFORMANCE TARGETS AND ACTUAL RESULTS					
PERFORMANCE INDICATOR INFORMATION		1993	1994	1995	1996	1997	
Type of Indicator	Performance Indicators	Actual	Actual	Target	Actual	Target	
Input	EVALUATION:						
	*1. Staff time spent completing evaluations	...	...	6,000 hours	3,896 hours	20,800 hours
	*2. Staff time spent encouraging departments to use evaluation techniques to improve their operations relating to problem solving, organizational change efforts, and partnership development	...	...	...	2,000 hours	24,960 hours
	3. Number of projects funded through the National Institute of Justice (NIJ) to complete a comprehensive review of COPS programs to improve, refine and enhance these programs	...	...	...	99	75

NAME OF DISCUSSION UNIT: Public Safety and Community Policing Grants									
PERFORMANCE INDICATOR INFORMATION		PERFORMANCE TARGETS AND ACTUAL RESULTS							
Type of Indicator	Performance Indicators	1993 Actual	1994 Actual	1995 Target	1996 Actual	1996 Target	1997 Target	1998 Target	1998 Actual
Output/Activity	EVALUATION:	...	...	...	...	...	...	...	...
	4. Number of quality evaluation reports produced for dissemination	...	...	...	...	...	15	...	...
	5. Number of programs evaluated	...	...	...	...	...	35	...	...
	6. Number of departments using evaluation techniques to improve their operations	...	...	...	...	...	100	...	...
Intermediate Outcomes	7. Number of inmate reports on programs being evaluated	...	...	...	...	...	35	...	...
	8. Number of agencies changing methodology due to evaluation feedback	...	...	...	...	...	25	...	...

NAME OF DECISION UNIT: Public Safety and Community Policing Grants		PERFORMANCE TARGETS AND ACTUAL RESULTS					
PERFORMANCE INDICATOR INFORMATION		1993	1994	1995	1996	1997	
Type of Indicator	Performance Indicators	Actual	Actual	Target	Actual	Target	
End Outcome	<p>EVALUATION:</p> <p>Evaluate and demonstrate the effectiveness of community policing to improve the quality of life by reducing the levels of disorder, violence and crime in our communities</p> <p>9. Number of successful community policing innovations identified through evaluation program</p> <p>10. Number of innovations replicated by other departments as a result of evaluation publication</p>	...	...	...	...	...
Productivity/ Efficiency	11. Staff time per report—subject to the complexity of the program and report	...	...	...	...	...
					900 hours/report	660 hours/report	

<p>A. Definitions of Terms or Explanations for Indicators.</p> <p>Projects funded through NIJ: COPS is providing funding to NIJ to conduct independent evaluations of COPS programs. The Outcome of evaluations is information to enhance and improve programs and is not amenable to quantitative measures. The COPS Office will also conduct evaluations of its programs, separate and distinct from NIJ efforts.</p>
<p>B. Factors Affecting FY 95 Program Performance.</p> <p>In FY 1995, initial planning and development of evaluation efforts was undertaken. Evaluation staff worked initially to establish databases to collect information about sites and to provide information used in making funding decisions.</p>
<p>C. Factors Affecting Selection of FY 96 and 97 Targets.</p> <p>In FY 1996 and FY 1997, COPS plans to fully implement evaluation efforts in order to ensure that information about the impact and process of COPS-funded programs is disseminated to police jurisdictions and policymakers.</p>

Indicators are indicators serving a requested 1997 program design. A performance indicator and target must be set for the results that will be achieved. Indicators received.

INITIATIVE

Form.	FTE	Amount
Est.	-	\$15,000

Police Corps Grants

Proposed Action:
The Police Corps Grants program will increase the number of police with advanced education and training, and provide educational assistance to students who possess a sincere interest in public service in the form of law enforcement. The program, which requires a four year service obligation by scholarship recipients, is expected to provide the necessary incentives to attract and retain young men and women to a career in law enforcement.

Goals

- Pursuant to statute, an Office of the Police Corps and Law Enforcement Education will be established.
- The Office will establish requirements for State plans for Police Corps participants, regulations to govern the competitive selection of participants, and programs of training for Corps participants.
- The Office will award scholarships to qualifying participants.

A total of \$15,000,000 is requested for the Police Corps Grants program for FY 1997. These resources would be used to fully fund the Office of the Police Corps and Law Enforcement Education, and to award scholarship grants to qualifying Police Corps participants. This funding level is necessary in order to meet the goal of increasing the number of police with advanced education and training.

PERFORMANCE MEASUREMENT TABLE: PRESENTED BY DECISION UNIT

NAME OF DECISION UNIT: Police Corps Grants									
PERFORMANCE INDICATOR INFORMATION		PERFORMANCE TARGETS AND ACTUAL RESULTS							
Type of Indicator	Performance Indicators	1993 Actual	1994 Actual	1995 Target	1995 Actual	1996 Target	1997 Target		
Input	*1. Number of staff hours dedicated to the Police Corps Grants program	...	...	160 hours	80 hours	...	2,500 hours		
Output/Activity	*2. Number of grant awards	...	...	...	...	...	375		
Intermediate Outcome	...	...	...	...	...	...	...
End Outcome	3. Number of Police Corp participants	...	...	...	...	...	375		
Productivity/Efficiency	4. Grants funded per staff class hour (excludes planning and implementation hours)	...	...	...	...	...	1 grant/hour		

A. Definitions of Terms or Explanations for Indicators.	
B. Factors Affecting FY 95 Program Performance.	
COPD was not funded for this program in FY 1995. Therefore, only initial planning for this program has been undertaken.	
C. Factors Affecting Selection of FY 96 and 97 Targets.	
In FY 1997, COPD plans to fully develop and implement this program.	
Disagreement in indicator covering a separate 1997 program category. A performance indicator was budgeted for FY 1997. Funds will be allocated toward research to reduce.	

INITIATIVE

Perm. Fns.	FTEs	Amount
-	-	\$16,000

Law Enforcement Scholarship Program

Program Action

As stated in the legislation, the COPS Office will initiate the Law Enforcement Scholarship program to allow individuals to receive scholarship grants while employed as police officers. This program, like the previously authorized Law Enforcement Education Program, would allow police to increase their educational opportunities, and is critical to enhancing State and local law enforcement recruitment, retention, and education.

Goals

- Pursuant to statute, an Office of the Police Corps and Law Enforcement Education will be established.
- The Office, in consultation with the Assistant Secretary for Postsecondary Education, will issue rules to implement the State allotment procedure, establish application requirements, and deliver funds to participating States.

A total of \$16,000,000 is requested for the Law Enforcement Scholarship Program for FY 1997. These resources would be used to fully fund the Office of the Police Corps and Law Enforcement Education, and to award scholarship grants to individuals who are employed as police officers. This funding level is necessary to enhance State and local law enforcement recruitment, retention, and education.

PERFORMANCE MEASUREMENT TABLE: PRESENTED BY DECISION UNIT

NAME OF DECISION UNIT: Law Enforcement Scholarship Program		PERFORMANCE TARGETS AND ACTUAL RESULTS						
PERFORMANCE INDICATOR INFORMATION		1993	1994	1995	1996	1997		
Type of Indicator	Performance Indicators	Actual	Actual	Target	Actual	Target	Actual	Target
Input	*1. Number of staff hours dedicated to the Law Enforcement Scholarship Program	...	...	160 hours	80 hours	...	...	2,500 hours
Output/Activity	*2. Number of grant awards	...	...	...	...	...	...	53
Intermediate Outcome	...	...	...	...	...	...	...	...
End Outcome	3. Number of Law Enforcement Scholarship Program participants	...	...	...	...	...	...	...
Productivity/Efficiency	4. Grants awarded per staff team hour (includes planning and implementation hours)	...	...	...	...	...	...	1 grant/year

A. Definitions of Terms or Explanations for Indicators.
B. Factors Affecting FY 96 Program Performance.
COFS was not funded for this program in FY 1995. Therefore, only initial planning for this program has been undertaken.
C. Factors Affecting Selection of FY 96 and 97 Targets.
Under this formula grant program, states and territories will be responsible for disbursing funds to participating law enforcement officers; the number of participants will be determined at that time.
In FY 1997, COFS plans to fully develop and implement this program.
Participants in this program serving 1 separate 1997 program change. A performance indicator was added to the FY 1997 targets that will be submitted annually to OIG.

INITIATIVE

Perma. Est.	FTE	Amount
-	-	\$1,195

Police Recruitment Grants

Program Action

The Police Recruitment program is designed to recruit and retain applicants to police departments. The program provides recruiting services, which include material programs to assist individuals to meet police force academic requirements and to pass entrance examinations; counseling for police applicants who may encounter problems throughout the application process; and retention services to assist individuals to stay in the application process of a police department.

Goal

- The Office will establish application requirements, precedent regulations setting forth grant criteria, and award grants to qualified community organizations to assist in meeting the needs of qualified programs which are designed to recruit and retain applicants to police departments.

A total of \$1,195,000 is requested for the Police Recruitment Grant program for FY 1997. These resources would be used to fully implement the program, and to provide recruiting, counseling, and retention services to police applicants. These services would assist applicants to meet police force academic requirements, pass entrance examinations, and stay in the application process of a police department.

PERFORMANCE MEASUREMENT TABLE: PRESENTED BY DECISION UNIT

NAME OF DECISION UNIT: Police Recruitment Grants		PERFORMANCE TARGETS AND ACTUAL RESULTS							
PERFORMANCE INDICATOR INFORMATION									
Type of Indicator	Performance Indicators	1993 Actual	1994 Actual	1995 Target	1995 Actual	1996 Target	1997 Target		
Input	*1. Number of staff hours dedicated to the Police Recruitment Grants program	...	...	...	...	...	492 hours		
Output/Activity	*2. Number of grant awards	...	...	...	...	...	23		
Intermediate Outcomes	...	...	...	...	...	...	...
End Outcome	3. Number of Police Recruitment Grants program participants	...	...	...	...	...	4,600		
Productivity/Efficiency	4. Grant funded/staff time hour	...	...	...	...	...	0.34 grants/hour		

A. Definitions of Terms or Explanations for Indicators.
B. Factors Affecting FY 95 Program Performance. COPS was not funded for this program in FY 1995.
C. Factors Affecting Selection of FY 96 and 97 Targets. In FY 1997, COPS plans to fully develop and implement this program. Designates an indicator serving a requested 1997 program change. A performance indicator and target must be set for the results that will be achieved should resources be received.

ACTIVITY: MANAGEMENT AND ADMINISTRATION

	Perm. FTE	FTE	Amount
Management and Administration			
1994 Availability	346	346	\$27,841
1997 Base	346	346	44,596
1997 Estimate	318	288	23,183
Increase/Decrease	44	22	2,219

BASE PROGRAM DESCRIPTION: The Management and Administration (M&A) activity is responsible for providing management oversight and administrative support to the COPS Office, and ensuring that the goals of the Public Safety and Community Policing Grants program, Police Corps Grants program, Law Enforcement Scholarship Program, and Police Recruitment Grants program are achieved. For FY 1997, a total of 286 positions, 266 workyears, and \$26,535,000 in base funding is available to support the COPS Office.

INITIATIVE

	Perm. FTE	FTE	Amount
Management and Administration	44	22	\$3,229

COPS is requesting a program increase of 44 positions, 22 workyears, and \$2,229,000 for FY 1997. The increase would fund the hiring of 44 Grant Advisors in FY 1997. These positions would be devoted to grant monitoring, and providing grantees with technical assistance and training. The increase would provide a total of 310 positions, 288 workyears, and \$28,183,000 for FY 1997. Funding to support M&A costs is derived from the total appropriation and, therefore, does not increase the total amount of direct funding requested for FY 1997.

For FY 1997 a total of \$1,976,155,000 is requested, including the Public Safety and Community Policing Grants program, the Police Corps Grants program, the Law Enforcement Scholarship Program, and the Police Recruitment Grants program. This level of funding in discretionary grant programs requires a significant level of resources for grant administration, management support, and oversight. The total funding level requested to support M&A for FY 1997 (\$2,183,000) would provide the hiring of additional personnel, and still keep the percentage of M&A costs to total program dollars under 1.5%.

The range of grant programs, the cumulative workload of grant activity, and the level of services provided to grantees is substantial. For the grant hiring programs alone, COFS processed and made grant awards to over 7,000 applicants in FY 1991. Moreover, these grant awards represent only the first installment of services that Grant Advisors will be providing to the same grantees over a three-year period. Grant Advisors will also be providing grantees with technical assistance and training, as well as participating in evaluations of the effectiveness of COFS programs.

In conjunction with the volume of grant activity is the accelerated grant award process that COFS has implemented to ensure that these grants are awarded in a timely fashion. COFS has created and implemented innovative grant programs that accelerate and streamline the application and grantmaking process. The accelerated pace of the grant programs requires that sufficient personnel support is devoted to the efficient administration and monitoring of community policing grants. The personnel resource level requested is also needed to fully support the three new grant programs to be implemented in FY 1997, including the Police Corps Grants program, the Law Enforcement Scholarship Program, and the Police Recruitment Grants program.

The grant monitoring process is critical to ensuring that the community policing plan set forth by the grantees is being adhered to, and that the resources provided are spent as authorized and as reported by the grantees. Monitoring typically involves the labor intensive tasks of developing monitoring plans, conducting on-site reviews or visits to the grantees, maintaining grant files, preparing quarterly financial reports, coordinating non-compliance issues with appropriate officials, and serving as liaison with the evaluation function to provide feedback on successful and unsuccessful aspects of the program.

Sufficient personnel resources are also required to provide technical assistance to law enforcement jurisdictions across the country. In order to achieve the long-term hiring goal, virtually every law enforcement jurisdiction in the country must participate. COFS is therefore participating in nationwide outreach programs to provide technical assistance to every grantee that requires these services. There are over 15,000 law enforcement jurisdictions in the United States, many of which are small and may require grant writing and other technical assistance.

Community Oriented Policing Services
 Reform and Modernization
 Financial Analysis - Program Overview
 (Values in thousands)

	Public Safety Community Policing Grants		Police Corps Grants		Law Enforcement Scholarship Program		Police Research Grants		Management and Administration		Total	
	Per.	Amount	Per.	Amount	Per.	Amount	Per.	Amount	Per.	Amount	Per.	Amount
Grants:												
OS-11
OS-9
OS-7
Total police grants & award rate
Layer (-)
Total workyear & personnel compensation
Personnel benefits
Travel & transportation of persons
GSA fees
Comm., cell, & other air charges
Pricing & reproduction
Other services
Supplies & materials
Equipment
Grants, Stipends, & Contributions
Total program workyear & obligation charges requested, 1997	144,771	...	15,000	...	10,000	...	...	1,151	22	2,229	22	173,155

Community Oriented Policing Services
Salaries and Expenses
1997 Priority Ranking

BASE PROGRAM		PROGRAM INCREASES	
Program	Ranking	Program	Ranking
Public Safety and Community Policing Grants	1	Public Safety and Community Policing Grants	1
Law Enforcement Scholarship Program	2	Law Enforcement Scholarship Program	2
Police Corps Grants	3	Police Corps Grants	3
Police Recruitment Grants	4	Police Recruitment Grants	4
Management and Administration	5	Management and Administration	5

Community Oriented Policing Services
Selection and Retention
Detail of Personnel Positions by Category
Fiscal Years 1972 - 1977

Category	1975		1976		1977	
	Authorized	Actual	Authorized	Actual	Program Increase	Total Authorized
Advisory (100).....	3	3	6	6	...	6
Personnel Specialist (100).....	1	1	1	1	...	1
Social Sciences, Economics & Related (100-199).....	13	13	15	15	...	15
Gen. Admin. Clerical & Other Svc. (100-199).....	95	95	222	222	44	244
Accounting & Budget (100-199).....	16	16	17	17	...	17
Information & Arts Group (100-199).....	3	3	4	4	...	4
Total.....	130	130	246	246	44	310
Washington.....	130	130	246	246	44	310
Total.....	130	130	246	246	44	310

201 Personnel Positions						
Personnel Specialist.....	11	11	13	13	3	16
Budget Specialist.....	2	2	2	2	...	2
Accountants and Auditors.....	16	16	15	15	...	15
Information Specialist.....	...	...	...	...	...	...
Information Specialist.....	...	...	...	...	...	...

Community Oriented Policing Services
Salaries and Expenses
Summary of Attorney and Support Positions/Workyears
FY 1996 - 1997

Decision Unit	1996 President's Request			1997 Program Increases			1997 Request Level		
	Attorneys Pos.	Support Pos.	Total Pos.	Attorneys Pos.	Support Pos.	Total Pos.	Attorneys Pos.	Support Pos.	Total Pos.
Public Safety & Community Policing Grants	...	...	...	...	...	...	...	...	...
Police Corps Grants	...	...	...	...	...	...	...	...	...
Law Enforcement Scholarship Program	...	...	...	...	...	...	...	...	...
Police Recruitment Grants	...	...	...	...	...	...	...	...	...
Management and Administration	6	6	120	...	44	44	6	6	110
Total	6	6	240	...	44	44	6	6	240

Community Oriented Policing Services
 Police and Emergency
 Justification of Adjustments to Base
 (Dollars in thousands)

	Amount
Increases:	
1. 1987 pay raise and locality pay adjustment.....	\$312
This request provides for the proposed 3.0 percent pay raise and locality pay adjustment to be effective in January of 1987 and is consistent with Administrative policy included in the 1987 President's budget request. The amount requested, \$312,000, represents the pay amounts for three-quarters of the fiscal year plus appropriate benefits (\$240,000 for pay and \$72,000 for benefits = \$312,000).	
2. Annualization and increase of 1986 pay raise.....	107
This pay annualization represents first quarter amounts (October through December) of the 1986 pay increase of 2.4 percent, plus appropriate personnel benefits and the additional amount required above the 2.2 percent originally requested for three-quarters of the year (\$80,000 for pay and \$23,000 for benefits).	
3. Annualization of 1986 locality pay adjustment.....	40
This adjustment represents the first quarter amounts of the locality pay increase received January 1986, plus appropriate personnel benefits.	
4. Within-grade increases.....	6
This request provides for the proposed increase in costs of within-grade increases. This increase is based on an accurate dynamic model of the Department's employee population which includes uniform factors such as anticipated pay raises, adjustments to include three-year attrition/retirement rates, and career ladder entries to reflect promotion policy for each organization. The request includes \$5,000 for pay and \$1,000 for benefits.	
5. Travel-mileage allowance rate increase.....	1
The mileage allowance rate has increased from 25 cents to 30 cents per mile. An increase of \$1,000 is requested in 1987 to cover this rate adjustment.	
6. General pricing level adjustments.....	63
This request applies OMB pricing guidance as of June 11, 1985, to selected expense categories. The increased costs identified result from applying a factor of 2.7 percent against those subobject classes where the prices that the Government pays are established through the market system instead of by law or regulation. Generally, the factor is applied to supplies, materials, equipment, contracts with the private sector, printing costs, transportation costs, and utilities.	
Total increases.....	529

Justification of Adjustments to Base (continued)	
(Dollars in thousands)	Amount
Decreases (Automatic non-policy):	
1. Nonrecurring costs for supplies, materials, and equipment.....	(1,414)
This reduction reflects the elimination of one-time expenses for the purchase of supplies, materials, and equipment for 158 new positions authorized in 1998.	
Total decreases.....	(1,414)
Total adjustment to base.....	(689)

**Community Oriented Police Services
Salaries and Benefits
Summary of Requirements by Grade and Object Class
(Dollars in thousands)**

Grade and Salary Range	1995 Actual		1995 Estimate		1997 Request		Increase/Decrease	
	Pos. & Yrs.	Amount	Pos. & Yrs.	Amount	Pos. & Yrs.	Amount	Pos. & Yrs.	Amount
ES-4, \$11,700	1		1		1			
ES-3, \$11,400	1		1		1			
ES-2, \$11,100	1		1		1			
ES-1, \$10,800	1		1		1			
GS-15, \$99,300 - \$10,000	5		6		8			
GS-14, \$98,015 - \$9,991	7		7		10			
GS-13, \$99,054 - \$9,814	10		16		22			
GS-12, \$91,024 - \$9,504	15		30		35			
GS-11, \$94,981 - \$9,471	12		46		50			
GS-9, \$88,913 - \$9,288	26		49		54			
GS-7, \$83,634 - \$9,786	30		54		59			
GS-6, \$81,369 - \$9,690	1		1		1			
GS-5, \$10,081 - \$9,800	15		42		50			
GS-4, \$17,035 - \$9,176	2		5		8			
GS-3, \$15,195 - \$9,147	4	\$55	4	\$187	7	\$157	3	\$300
Locality Pay								
1997 Pay Rate								
Total, appropriated positions	130	4,835	266	10,646	310	12,450	44	1,804
Pay above stated amount rates								
Lapses	(76)	(2,541)		41	(22)	(723)	(22)	(723)
Savings due to lower pay scales for part of year								
Net, full-time personnel	54	2,294	266	10,646	288	11,727	22	983
Other personnel compensation:								
Overseas	2	90	8	300	8	300		
Total, Workyears & personnel compensation	56	2,384	274	10,946	296	12,027	22	987
Average ES Salary		\$11,534		\$10,687		\$10,687		
Average GS Salary		\$33,754		\$32,433		\$32,760		
Average GS Grade		8.8		8.8		8.8		

**Community Oriented Police Services
Salaries and Expenses
Summary of Requirements by Object and Object Class
(Dollars in thousands)**

Object Class	1997 Actual		1996 Estimate		1997 Revised		Increase/Decrease	
	NY	Amount	NY	Amount	NY	Amount	NY	Amount
11.1 Total workyear & personnel compensation.....	54	\$2,257	266	\$10,646	268	\$11,633	22	\$987
11.5 Other personnel compensation.....	2	90	8	320	8	320	--	--
Total.....	56	2,347	274	10,966	266	11,953	22	\$987
Other Object Classes								
11.0 Personal benefits.....		912		2,634		2,618		264
21.0 Travel and transportation of persons.....		124		1,000		1,322		72
22.0 Transportation of things.....		274		300		351		1
23.1 GSA rent.....		1,034		1,399		2,023		426
23.3 Comm., util., & other misc. charges.....		295		333		399		66
24.0 Printing and reproduction.....		519		600		658		58
25.1 Authority and assistance services.....		17		90		90		--
25.3 Other services.....		21,823		13,787		13,993		(793)
26.0 Supplies and materials.....		184		300		350		(150)
31.0 Equipment.....		1,096		1,779		1,680		(723)
41.0 Grants, subsidies, and contributions.....		1,171,373		1,864,524		1,941,644		72,220
Total obligations.....		1,199,620		1,900,186		1,976,133		72,899
Unobligated balance, start of year.....		--		(100,186)		--		--
Unobligated balance, end of year.....		100,186		--		1,976,133		--
Total requirements.....		1,299,806		1,800,000		1,976,133		--
Relation of Obligations to Outlays								
Total obligations.....		1,199,620		1,900,186		1,976,133		
Obligated balance, start of year.....		--		951,000		2,220,195		
Obligated balance, end of year.....		951,000		(2,220,195)		(2,654,500)		
Outlays.....		244,611		638,000		1,540,000		

The 1996 estimates reflect total 1996 obligations including prior year balances. The distribution of obligations for 1996 and 1997 differs from estimates included in the 1997 President's Budget Appendix based on revised estimates and due to rounding differences.

Department of Justice
Counterterrorism Fund
Estimates for Fiscal Year 1997
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Counterterrorism Fund
Salaries and Expenses
Summary Statement
Fiscal Year 1997

For 1997, the Department seeks \$9,688,000 in no-year funding for the Attorney General's Counterterrorism Fund. The Counterterrorism Fund was established with \$34,200,000 in no-year funding by the 1995 Emergency Supplemental Act. The appropriation anticipated for Fiscal Year 1996 includes an additional \$16,898,000 in no-year funding for the Counterterrorism Fund.

The 1995 Supplemental Act and 1996 President's request, as amended, authorize the Fund's use for reimbursing Departmental components for costs incurred in support of countering, investigating, or preventing domestic terrorism. The 1996 request also authorized the use of the Fund to reimburse the Department for the cost of the Oklahoma City bombing or other domestic or international terrorism events. The Department plans to follow this authorization in using the funds requested for 1997.

The personal loss and injury sustained in terrorist episodes like the World Trade Center bombing, the Oklahoma City bombing, and the Atrark derailment in Arizona warrant a heightened, more timely response to terrorism. Although Departmental components have been funding and enhancing their efforts to help victims of terrorism, this content does not address the needs of victims of terrorism. The Department's unanticipated terrorist episodes are addressed in the most rapid and effective manner possible.

Already identified events, such as the Presidential inauguration, could consume a significant portion of the \$9,688,000. If demands for currently unforeseen counterterrorism requirements arise during 1997, the Department will request that additional funds be appropriated at that time.

The recent gains and world attention achieved by terrorist groups like the Palestine Liberation Organization and the Irish Republican Army could prompt future terrorist events. In addition, because terrorism is often unpredictable, the Department must be prepared to respond to future terrorist events. The Department's efforts to prevent terrorism are just two of several factors that could elevate terrorism response demands well above current estimates.

Although many aspects of crime are difficult to anticipate and plan for, the widespread devastation resulting from terrorism compels that law enforcement be prepared to the highest possible level. Provision of the requested resources of \$9,688,000 will assist in the effort to reach the point where future counterterrorism efforts meet public safety needs.

Counterterrorism Fund
Salaries and Expenses
Justification of Proposed Changes in Appropriation Language

Salaries and Expenses

For necessary expenses, as determined by the Attorney General, \$2,488,000 to remain available until expended, to reimburse any Department of Justice organization for (1) the costs incurred in reestablishing the operational capability of an office or facility which has been damaged or destroyed as a result of the bombing of the Alfred P. Murrah Federal Building in Oklahoma City or any domestic or international terrorist incident, (2) the costs of providing support to counter, investigate or prosecute domestic or international terrorism, including payment of rewards in connection with these activities, and (3) the cost of conducting a terrorism threat assessment of Federal agencies and their facilities; provided, that funds provided under this section shall be available only after the Attorney General notifies the Committee on Appropriations of the House of Representatives and the Senate in accordance with Section 104 of this Act.

Note--A regular 1996 appropriation for this account had not been enacted at the time this budget was prepared. The 1996 amounts included in this budget are based on the levels provided in three continuing resolutions, P.L. 104-31, P.L. 104-32, P.L. 104-33.

Counterterrorism Fund Salaries and Expenses Crosswalk of 1998 Changes (Dollars in thousands)										
	1998 President's Budget Request		Congressional Action on 1998 Request		A-4 Transfers in Between WT Accounts		Reprogramming		1998 Appropriation Anticipated	
	Pos.	WT Amount	Pos.	WT Amount	WT Amount	WT Amount	Pos.	WT Amt	Pos.	WT Amt
1. Counterterrorism Fund.....	--	-- \$23,398	--	-- \$23,398	--	--	--	--	--	-- \$16,200
Total.....	--	-- \$23,398	--	-- \$23,398	--	--	--	--	--	-- \$16,200

Congressional Appropriation Action on 1998 Request. Congress reduced funding to the Counterterrorism Fund by \$4.2 million.

Adjustments to Base:

[illegible]

Counterterrorism Fund
Salaries and Expenses
Program Performance Information
Government Performance and Results Act Requirements

MISSION: To reimburse Departmental components for costs incurred in support of countering, investigating, or prosecuting domestic and/or international terrorism, and to finance reward payments in connection with such activities. The Fund is further authorized for use in restoring the operational capacities of offices destroyed or damaged in the Oklahoma City bombing or other domestic or international terrorism events.

Counterterrorism Fund
Salaries and Expenses
Program Performance Information
(Dollars in Thousands)

ACTIVITY: COUNTERTERRORISM FUND

Counterterrorism Fund		Perm.	FTE	Amount
1995 Appropriation Anticipated		Pos.		
1995 Estimate		\$16,898
1996 Estimate		16,898
1997 Estimate		9,688
Increase/Decrease		-7,210

BASE PROGRAM DESCRIPTION: The Counterterrorism Fund was established with \$34,200,000 in no-year funding by the 1995 Emergency Supplemental Act. The appropriation anticipated for Fiscal Year 1996 includes an additional \$16,898,000 in no-year funding for the Counterterrorism Fund.

The 1995 Supplemental Act and 1996 President's request, as amended, authorize the Fund's use for reimbursing Departmental components for costs incurred in support of counterterrorism, investigating, or prosecuting domestic and/or international terrorism, and to finance reward payments in connection with such activities. The Fund is further authorized for use in restoring the operational capacities of offices destroyed or damaged in the Oklahoma City bombing or other domestic or international terrorism events. The Department plans to follow this authorization in using of the funds requested for 1997.

The personal loss and injury sustained in terrorist episodes like the World Trade Center bombing, the Oklahoma City bombing, and the 1995 American Airlines bombing have placed a heavy burden on the Department. Although Departmental components have been funding and enhancing efforts to address this concern, these resources have neither the depth nor the flexibility to ensure that unanticipated terrorist episodes are addressed in the most rapid and effective manner possible. The Counterterrorism Fund has this necessary depth and flexibility.

The recent gains and world attention achieved by terrorist groups like the Palestine Liberation Organization and the Irish Republican Army could prompt future terrorist events. In addition, because terrorism is often politically motivated, the rapid pace of current world politics could be another catalyst for terrorist attacks in the future. The Fund could be used to address two of several factors that could elevate terrorism response demands well above current estimates.

Although many aspects of crime are difficult to anticipate and plan for, the widespread devastation resulting from terrorism compels that law enforcement be prepared to the highest possible level. Provision of the requested resources of \$9,688,000 will assist in the effort where future counterterrorism efforts meet public safety needs.

PROGRAM CHANGES: For 1997, the Department seeks \$9,688,000 in no-year funding for the Attorney General's Counterterrorism Fund. The 1997 funding request of \$9,688,000 reflects a program reduction of \$7,210,000 from the base level of \$16,898,000. Already identified events, such as the Presidential inauguration, could consume a significant portion of the \$9,688,000. If demands for currently unforeseen counterterrorism requirements arise during 1997, the Department will request that additional funds be appropriated at that time.

Department of Justice
 Health Care Fraud and Abuse Control Program
 Estimates for Fiscal Year 1997
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**Health Care Fraud and Abuse Control Program
Summary and Request
Fiscal Year 1997**

For 1997, the Department seeks \$23,000,000 in mandatory funding for the proposed Health Care Fraud and Abuse Control Program and the establishment of the Health Care Fraud and Abuse Prevention Act of 1994. The proposed legislation provides that the Attorney General and the Secretary of Health and Human Services establish a program to coordinate Federal, state, and local law enforcement efforts to control fraud and abuse of health care plans. The mandatory funding anticipated for Fiscal Year 1996 is \$20,000,000.

The primary mission of the Health Care Fraud and Abuse Program will be to provide resources on a continuing basis to Departmental components to identify, investigate, and prosecute individuals involved in health care fraud.

National Health care costs continue to climb at a staggering rate. The U.S. Department of Commerce projects annual health care spending will grow from approximately \$600 billion in 1992 to \$1.4 trillion by the turn of the century. At that rate, by the year 2000, health care costs will be consuming 15 percent of the Gross National Product. Currently, the public spends \$100 million every hour for health care. It is estimated that fraud accounts for a loss of \$40 billion annually, or 10 percent, of the total health care spending in the United States.

Mandatory funding of \$23,000,000 will assist in the effort to reduce the current level of health care fraud and abuse. The resources would allow the Department to take a more proactive approach to health care fraud, including investigations, audits, evaluations, and inspections of the United States health care system than current resources allow.

Health Care Fraud and Abuse Control Program
 Medicare and Medicaid
 Oversight of 17% Change
 (Dollars in thousands)

1982 President's Budget Request	1983 FY	1984 FY	1985 FY	1986 FY	1987 FY	1988 FY	1989 FY	1990 FY	1991 FY	1992 FY	1993 FY	1994 FY	1995 FY	1996 FY	1997 FY	1998 FY	1999 FY	2000 FY	2001 FY	2002 FY	2003 FY	2004 FY	2005 FY	2006 FY	2007 FY	2008 FY	2009 FY	2010 FY	2011 FY	2012 FY	2013 FY	2014 FY	2015 FY	2016 FY	2017 FY	2018 FY	2019 FY	2020 FY	2021 FY	2022 FY	2023 FY	2024 FY	2025 FY	2026 FY	2027 FY	2028 FY	2029 FY	2030 FY	2031 FY	2032 FY	2033 FY	2034 FY	2035 FY	2036 FY	2037 FY	2038 FY	2039 FY	2040 FY	2041 FY	2042 FY	2043 FY	2044 FY	2045 FY	2046 FY	2047 FY	2048 FY	2049 FY	2050 FY	2051 FY	2052 FY	2053 FY	2054 FY	2055 FY	2056 FY	2057 FY	2058 FY	2059 FY	2060 FY	2061 FY	2062 FY	2063 FY	2064 FY	2065 FY	2066 FY	2067 FY	2068 FY	2069 FY	2070 FY	2071 FY	2072 FY	2073 FY	2074 FY	2075 FY	2076 FY	2077 FY	2078 FY	2079 FY	2080 FY	2081 FY	2082 FY	2083 FY	2084 FY	2085 FY	2086 FY	2087 FY	2088 FY	2089 FY	2090 FY	2091 FY	2092 FY	2093 FY	2094 FY	2095 FY	2096 FY	2097 FY	2098 FY	2099 FY	2100 FY	2101 FY	2102 FY	2103 FY	2104 FY	2105 FY	2106 FY	2107 FY	2108 FY	2109 FY	2110 FY	2111 FY	2112 FY	2113 FY	2114 FY	2115 FY	2116 FY	2117 FY	2118 FY	2119 FY	2120 FY	2121 FY	2122 FY	2123 FY	2124 FY	2125 FY	2126 FY	2127 FY	2128 FY	2129 FY	2130 FY	2131 FY	2132 FY	2133 FY	2134 FY	2135 FY	2136 FY	2137 FY	2138 FY	2139 FY	2140 FY	2141 FY	2142 FY	2143 FY	2144 FY	2145 FY	2146 FY	2147 FY	2148 FY	2149 FY	2150 FY	2151 FY	2152 FY	2153 FY	2154 FY	2155 FY	2156 FY	2157 FY	2158 FY	2159 FY	2160 FY	2161 FY	2162 FY	2163 FY	2164 FY	2165 FY	2166 FY	2167 FY	2168 FY	2169 FY	2170 FY	2171 FY	2172 FY	2173 FY	2174 FY	2175 FY	2176 FY	2177 FY	2178 FY	2179 FY	2180 FY	2181 FY	2182 FY	2183 FY	2184 FY	2185 FY	2186 FY	2187 FY	2188 FY	2189 FY	2190 FY	2191 FY	2192 FY	2193 FY	2194 FY	2195 FY	2196 FY	2197 FY	2198 FY	2199 FY	2200 FY	2201 FY	2202 FY	2203 FY	2204 FY	2205 FY	2206 FY	2207 FY	2208 FY	2209 FY	2210 FY	2211 FY	2212 FY	2213 FY	2214 FY	2215 FY	2216 FY	2217 FY	2218 FY	2219 FY	2220 FY	2221 FY	2222 FY	2223 FY	2224 FY	2225 FY	2226 FY	2227 FY	2228 FY	2229 FY	2230 FY	2231 FY	2232 FY	2233 FY	2234 FY	2235 FY	2236 FY	2237 FY	2238 FY	2239 FY	2240 FY	2241 FY	2242 FY	2243 FY	2244 FY	2245 FY	2246 FY	2247 FY	2248 FY	2249 FY	2250 FY	2251 FY	2252 FY	2253 FY	2254 FY	2255 FY	2256 FY	2257 FY	2258 FY	2259 FY	2260 FY	2261 FY	2262 FY	2263 FY	2264 FY	2265 FY	2266 FY	2267 FY	2268 FY	2269 FY	2270 FY	2271 FY	2272 FY	2273 FY	2274 FY	2275 FY	2276 FY	2277 FY	2278 FY	2279 FY	2280 FY	2281 FY	2282 FY	2283 FY	2284 FY	2285 FY	2286 FY	2287 FY	2288 FY	2289 FY	2290 FY	2291 FY	2292 FY	2293 FY	2294 FY	2295 FY	2296 FY	2297 FY	2298 FY	2299 FY	2300 FY	2301 FY	2302 FY	2303 FY	2304 FY	2305 FY	2306 FY	2307 FY	2308 FY	2309 FY	2310 FY	2311 FY	2312 FY	2313 FY	2314 FY	2315 FY	2316 FY	2317 FY	2318 FY	2319 FY	2320 FY	2321 FY	2322 FY	2323 FY	2324 FY	2325 FY	2326 FY	2327 FY	2328 FY	2329 FY	2330 FY	2331 FY	2332 FY	2333 FY	2334 FY	2335 FY	2336 FY	2337 FY	2338 FY	2339 FY	2340 FY	2341 FY	2342 FY	2343 FY	2344 FY	2345 FY	2346 FY	2347 FY	2348 FY	2349 FY	2350 FY	2351 FY	2352 FY	2353 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FY	2854 FY	2855 FY	2856 FY	2857 FY	2858 FY	2859 FY	2860 FY	2861 FY	2862 FY	2863 FY	2864 FY	2865 FY	2866 FY	2867 FY	2868 FY	2869 FY	2870 FY	2871 FY	2872 FY	2873 FY	2874 FY	2875 FY	2876 FY	2877 FY	2878 FY	2879 FY	2880 FY	2881 FY	2882 FY	2883 FY	2884 FY	2885 FY	2886 FY	2887 FY	2888 FY	2889 FY	2890 FY	2891 FY	2892 FY	2893 FY	2894 FY	2895 FY	2896 FY	2897 FY	2898 FY	2899 FY	2900 FY	2901 FY	2902 FY	2903 FY	2904 FY	2905 FY	2906 FY	2907 FY	2908 FY	2909 FY	2910 FY	2911 FY	2912 FY	2913 FY	2914 FY	2915 FY	2916 FY	2917 FY	2918 FY	2919 FY	2920 FY	2921 FY	2922 FY	2923 FY	2924 FY	2925 FY	2926 FY	2927 FY	2928 FY	2929 FY	2930 FY	2931 FY	2932 FY	2933 FY	2934 FY	2935 FY	2936 FY	2937 FY	2938 FY	2939 FY	2940 FY	2941 FY	2942 FY	2943 FY	2944 FY	2945 FY	2946 FY	2947 FY	2948 FY	2949 FY	2950 FY	2951 FY	2952 FY	2953 FY	2954 FY	2955 FY	2956 FY	2957 FY	2958 FY	2959 FY	2960 FY	2961 FY	2962 FY	2963 FY	2964 FY	2965 FY	2966 FY	2967 FY	2968 FY	2969 FY	2970 FY	2971 FY	2972 FY	2973 FY	2974 FY	2975 FY	2976 FY	2977 FY	2978 FY	2979 FY	2980 FY	2981 FY	2982 FY	2983 FY	2984 FY	2985 FY	2986 FY	2987 FY	2988 FY	2989 FY	2990 FY	2991 FY	2992 FY	2993 FY	2994 FY	2995 FY	2996 FY	2997 FY	2998 FY	2999 FY	3000 FY

Health Care Fraud and Abuse Control Program
Skills and Knowledge
Program Performance Information
Government Performance and Results Act Requirements

MISSION: To reimburse Departmental components for costs incurred in support of identifying, investigating, and obtaining prosecution of individuals involved in health care fraud and abuse.

Health Care Fraud and Abuse Control Program
Salaries and Expenses
Program Performance Information
(Dollars in Thousands)

ACTIVITY: HEALTH CARE FRAUD AND ABUSE CONTROL PROGRAM

	Perm.	Est.	Amount
1996 Appropriation Anticipated	\$10,000
1997 Base	20,000
1997 Estimate	20,000
Increase/Decrease	3,000

BASE PROGRAM DESCRIPTION: The proposed Health Care Fraud and Abuse Control Program would be established under the Health Care Fraud and Abuse Control Act of 1992. The proposed legislation provides that the Attorney General and the Secretary of Health and Human Services shall jointly submit to the President, the State, and local law enforcement efforts to control fraud and abuse of health care plans. The mandatory funding anticipated for Fiscal Year 1996 is \$20,000,000.

The primary mission of the Health Care Fraud and Abuse Program will be to provide resources on a continuing basis to Departmental components to identify, investigate, and prosecute individuals involved in health care fraud.

National health care costs continue to climb at a staggering rate. The U.S. Department of Commerce projects annual health care spending will grow from approximately \$800 billion in 1992 to \$1.6 trillion by the turn of the century. At that rate, by the year 2000, health care would consume up to 16.4 percent of the Gross National Product. Currently, the American public spends \$100 million every hour for health care. It is estimated that fraud accounts for a loss of \$80 billion annually, or 10 percent, of the total health care spending in the United States.

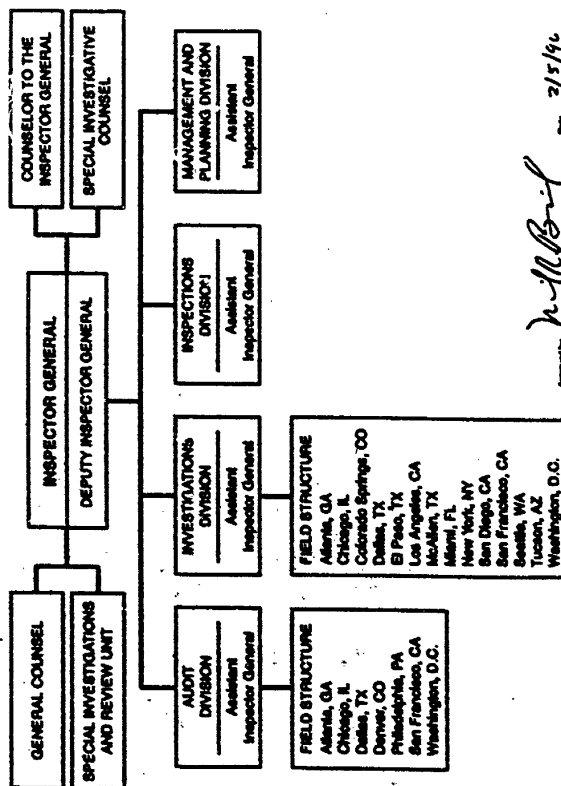
Mandatory funding of \$23,000,000 will assist in the effort to reduce the current level of health care fraud and abuse. The resources would allow the Department to take a more proactive approach to conduct prosecutions, investigations, audits, evaluations, and inspections of the United States health care system than current resources allow.

PROGRAM CHANGES: For 1997, the Department seeks \$23,000,000 in mandatory funding for the Health Care Fraud and Abuse Control Program. The 1997 funding request of \$23,000,000 reflects a program increase of \$3,000,000 from the base level of \$20,000,000. This \$3,000,000 increase will assist in additional prosecutions, investigations, audits, evaluations, and inspections of health care fraud and abuse.

Department of Justice
Office of the Inspector General
Estimates for 1967
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OFFICE OF THE INSPECTOR GENERAL



Approved by *William B. Briel* on 2/5/96
ACTING INSPECTOR GENERAL

**Office of the Inspector General
Salaries and Expenses
1987 Summary Statement**

The request for the Office of the Inspector General (OIG) for 1987 totals \$51,949,000, 402 full-time permanent positions (POS) and 416 workyears (WYs). The request reflects a net increase of \$22,990,000, 27 POS, and 46 WYs over the 1986 Continuing Resolution (CR) level, \$1,462,000 of which is for mandatory (uncontrollable) increases. Also included is the permanent transfer of \$5,000,000 and 50 POS from the Department's General Administration Account to the OIG (in lieu of an annual reimbursable agreement with INS), \$2,794,000, 1 POS and 33 WYs to reduce reductions associated with the 1986 CR, \$1,799,000, 16 POS, and 8 WYs for a programmatic increase associated with a SW Border Initiative for investigations, and \$11,824,000, 10 POS, and 5 WYs for a programmatic increase associated with a financial statement audit initiative for Audit. The OIG's request is for an increase in audit resources to comply with the statutory requirements of the Chief Financial Officers Act of 1980 (CFO) and the Government Management Reform Act of 1994 (GMRA) to produce a consolidated Departmental financial statement audit in 1987; overall increases in personnel and resources provided to the Department since FY 1982, particularly in areas that furnish the OIG with the preponderance of its workload; and the Administration's commitment to providing efficient and effective government services free of waste, fraud and abuse. The OIG has not had a programmatic increase since FY 1982.

The OIG promotes efficient and effective management within the Department of Justice (DOJ) and detects and deters wrongdoing in Departmental programs and operations using the coordinative efforts of its investigative, inspection, and audit resources. Specifically, the OIG: (1) Investigates violations of law and Department regulations for appropriate criminal prosecution, civil litigation, and administrative action for a department with more than 100,000 employees. (2) conducts, reports on and follows up on financial and performance audits of Departmental programs, contracts, grants and agreements, which totalled almost \$14.0 billion in FY 1986 and is expected to be \$18.3 billion in 1987; and (3) performs short-term inspections of Departmental programs that provide early warning to the Administration and Congress regarding potential or existing problems. These activities are crucial to the Department's obligation to manage its appropriations prudently and to improve the efficiency of its activities.

The increased resources are necessary to support the Attorney General's policy priorities -- specifically, to address expanding immigration programs, border civil rights issues, public corruption and integrity matters, and Departmental infrastructure investments. These resources will help the OIG keep pace with the substantial recent growth in the rest of the Department and enable the OIG to perform the statutory required audits of the Department's consolidated financial statement.

**Office of the Inspector General
 Statistics and Estimates
 Justification of Proposed Changes in Appropriation Language**

The 1987 budget estimates include proposed changes in the appropriation language listed and explained below. New language is underscored and deleted matter is enclosed in brackets.

Office of The Inspector General

For increased amounts of the Office of the Inspector General, in addition of the provisions of the Inspector General Act of 1978, as amended, 52 USC 651, 645, 650, and 651, including not to exceed \$10,000 to make, alterations, amendments of a confidential character, to the accounts under the direction of, and to be accounted for under the provisions of the Attorney General and for the acquisition, lease, maintenance, and operation of motor vehicles, without regard to the general purchase-price limitation for the current fiscal year.

Note. -- A regular 1988 appropriation for this account had not been enacted at the time this budget was prepared. The 1988 amounts included in this budget are based on the levels provided in three continuing resolutions: P.L. 104-91, P.L. 104-92, and P.L. 104-96.

Estimation of Changes:

No substantive changes proposed.

Office of the Inspector General
 Salaries and Expenses
 Comparison of 1988 Changes
 (Dollars in thousands)

Activity/Program	1988 President's Budget Request		Congressional Appropriations Action on		Recommendations		1988 Availability		
	Pos.	NY Amount	Pos.	NY Amount	Pos.	NY Amount	Pos.	NY Amount	
Audit, Inspections and Investigations	378	373	\$35,744	-61	-68	\$7,764	325	305	\$55,900

Congressional Appropriation Actions. Conference action shown. Congress has not yet acted on the FY 1988 President's budget request. Conference action denied a request to transfer \$5.0 M from INS into the OIG base, denied the \$1.3 M cost associated with mandatory increases, and cut the base by an additional \$1.2 M.

Office of the Inspector General
 Services and Expenses
 Summary of Reimbursements
 (Dollars in thousands)

Adjustments to Base:

	Perm	Est.	NY	Amount
1986 Conference Action				
Transfer from General Administration	225	305		\$28,900
Int'l Management Transfer	80	80		6,000
Incumbent	--	--		6
1987 Base	375	385		1,678
Program Changes (See Program Narrative for Details)	22	48		\$98,442
1987 Estimate	402	401		\$115,907

	1986 Actual		1987 Base		1987 Estimate		Increase/Decrease	
	Perm	Est.	Perm	Est.	Perm	Est.	Perm	Est.
Audit, Inspection and Investigations	331	316	320,444	331	302	320,172	325	305
Reimbursable Workyears	80	71	85	15	15	15		
Total Workyears	396	377	370	370	418	418	46	46
Overhead:								
LEAP	21	15	26	26	26	26	3	3
Other	2	2	2	2	2	2		
Total Compensable WY	419	394	398	398	447	447	48	48

Office of the Inspector General
Reimbursable Resources
(Dollars in thousands)

Collections by Source:	1993 Actual		1993 Estimate		1992 Request		Increase/ Decrease	
	Pos.	NY Amount	Pos.	NY Amount	Pos.	NY Amount	Pos.	NY Amount
U.S. Trustees	21	42,600	11	91,250	15	91,250	..	..
IRS Fee Accounts	50	5,000	50	5,000	..	..	..	..
Financial Statement Audits	4	2,282	4	2,488	..	..	..	..
Total	75	49,882	65	98,748	15	91,250	..	..
Obligations by Functional Area:								
Audit	40	6,477	35	4,972	15	1,250	..	..
Investigations	30	2,997	25	2,308	..	..	..	..
Inspection	5	408	5	488	..	..	..	..
Total	75	99,882	65	98,748	15	91,250	..	..

U.S. Trustees - Audit services related to recently appointed panel trustees to identify potential problem assets/debtors; examine annual financial reports on Chapters 12 & 13 Standing Trustees; and perform cash management reviews of Chapter 7 panel trustees.

IRS Fee Accounts - The OIG has significantly increased its consultation with IRS during the development of its workplan to assure that IRS receives tangible management assistance from the agreement, which supports audits, investigations, and inspections performed on the user and examination fee accounts. Under present conditions, the OIG is limited to using these resources only for IRS fee audits work at the expense of oversight of other IRS programs and activities. The permanent transfer of \$5,000,000 in 1997 to the OIG is requested to not only continue fee activity oversight, but transferring these funds to our base will eliminate this restriction.

Financial Statement Audits - In accordance with the CFO and GARA Acts, the OIG oversees the financial statement audits for all audited accounts within DOJ.

**Office of the Inspector General
Audits and Examinations
Program Performance Information
Government Performance and Results Act Requirements**

MISSION: To reduce the incidence of fraud, waste, abuse, misconduct, inefficiency, and financial non-compliance of DOJ programs and those activities funded by the Department.

ORGANIZATIONAL GOALS:

1. Provide timely, accurate, and objective analysis and information to Department officials.
2. Promote the efficiency and effectiveness of Department programs and operations.
3. Detect and deter misconduct in programs and operations within or financed by the Department.
4. Build relationships with customers based on a shared commitment to improving program operations and effectiveness.
5. Foster an OIG environment in which efficiency, teamwork, and organizational excellence thrive.

MAJOR OBJECTIVES: Provide balanced audit and inspection coverage to assist Department management in achieving more efficient and effective operations. This includes responding to specific requests for audits, inspections and evaluations from Department managers to assist in improving their programs or operations. Although not all-inclusive, the OIG:

- ensures that resources are used effectively to achieve qualitatively superior results in criminal and administrative investigations, as well as to ensure a continued focus on high-impact investigations;
- performs audits and inspections of high-risk and material weakness areas identified by the Department and OIG, and maintain flexibility needed to support the Department's program priorities;
- monitors the Department's ACP processes and capabilities through the Computer Security and Information Technology Audit Office;

- conducts or oversees the performance of audits of Departmental financial statements in accordance with the CFO and GAMA Acts;
- implements effective audit, inspection and evaluation oversight and follow-up requirements established by legislation, regulation, or executive direction;
- examines DOJ components to ensure effective debt collection activities as well as identification and collection of user fees;
- performs inspections and program-impact evaluations of Departmental programs and activities;
- provides technical assistance and management advisory services to Department management to ensure quicker responses to requests for information, resulting in improved program operations;
- conducts an aggressive Department integrity information program to reduce employee misconduct and provide expanded fraud vulnerability briefings to more Department contracting personnel; and
- tracks and reports on the status of all DOJ civil rights investigations involving DHS personnel.

BASE PROGRAM DESCRIPTION: The Office of the Inspector General was established in the Department of Justice to enhance ethics and integrity and to identify and eliminate misconduct, fraud, waste, abuse, and mismanagement of public resources. To that end, the purposes of the Office are to:

- investigate violations of the laws and regulations pertaining to the Department and referral for appropriate criminal prosecution, civil litigation, and administrative action;
- conduct, report on, and follow-up on performance audits and inspections of programs and operations within or financed by the Department;
- conduct, report, and follow-up on financial audits of Departmental organizations, programs, contracts, grants and other agreements;
- evaluate existing and proposed legislation and regulations affecting the prevention and detection of fraud, waste, and abuse in Department programs and operations;
- report to the Attorney General and the Congress on problems and deficiencies in the administration of Department and Department-financed programs and operations, and progress made in implementing recommended corrective actions; and

- coordinate and cooperate with Federal, state, and local government agencies and non-government entities to promote efficiency and effectiveness and prevent and detect fraud, waste, and abuse in programs and operations within, or financed by, the Department.

Consistent with the Act, guidance received from the Office of Management and Budget (OMB), and recommendations from the President's Council on Integrity and Efficiency (PCIE), this office will emphasize: (1) the need for early warning systems to detect potential problems before they develop; (2) the need to monitor actual implementation of corrective measures after potential weaknesses have been identified; and (3) the comprehensive reporting of problems, deficiencies and progress of corrective actions to the Attorney General and other Department officials and the Congress.

The major functions of the OIG include investigations, audits, and inspections:

- The Investigations Division investigates alleged violations of bribery, fraud, abuse, and integrity laws that govern the Department and the operations it finances, and develops such allegations for criminal prosecution and civil or administrative action.
- The Audit Division conducts, reports on, and tracks the resolution of financial and performance (including economy and efficiency and program) audits of organizations, programs and functions of the Department, including expenditures made by the Department through contracts, grants, and other agreements.
- The Inspections Division works with Department management to identify the most useful and meaningful assignments as it addresses both new and existing operations and programs within or financed by the Department. The Inspections Division offers a wide variety of services, ranging from providing technical assistance and management advisory services to full evaluation reports. Reviews, which focus on customer-oriented approaches to improve the management of the Department and its components, are tailored to provide rapid analysis and feedback in an objective and balanced manner.

An Executive Direction and Control function establishes and issues policy and program direction for the OIG. Specific responsibilities include policy development, legal counsel, legislative matters, planning, budget, finance, quality assurance and evaluation, personnel, training, procurement, automated data processing, and general support services.

Expanded OIG Jurisdiction: Since the 1990 budget submission, the Attorney General issued an Order that substantially clarified and expanded the OIG's responsibilities to investigate misconduct by Justice employees. The legislation that created the Office of Professional Responsibility (OPR), resulting in a situation that blurred respective responsibilities.

Attorney General Order No. 1931-94 gives the Inspector General broad jurisdiction to investigate allegations of misconduct by any Justice employee of waste, fraud, or abuse and of any contractor, grantee, or other person doing business with or receiving benefits from the Department and its various component agencies.

The order defines two exceptions to this broad jurisdiction:

(1) The Department's OIG retains its authority to investigate misconduct by Department attorneys that relates to the exercise of their authority to investigate, initiate, or provide legal advice, and, where related to those issues, the associated conduct of Department investigators.

(2) Both the Federal Bureau of Investigation (FBI) and the Drug Enforcement Administration (DEA) also have Offices of Professional Responsibility that are authorized to investigate misconduct by employees of their respective agencies.

The Order also establishes a procedure for the Deputy Attorney General to assign other employee misconduct cases to the Inspector General when circumstances might warrant, and further promotes the exchange of case-related information among the OIG, OPR, FBI, and DEA.

ACCOMPLISHMENTS: Following are significant OIG accomplishments during 1998, and highlights of significant current efforts:

- OIG Special Agents made 112 arrests and conducted investigations that resulted in the return of 101 indictments and 89 convictions;
- As a direct result of OIG investigations, the Department recovered \$747,830 in the form of fines, restitution and recoveries; \$137,500 in seizures; and, \$490,000 deposited in the U.S. Treasury in bribe monies (includes monies deposited in FY 1994);
- The OIG received and processed 5,757 complaints;
- Agents closed 935 investigations and had 372 pending at the end of the year; referred 470 allegations to other Justice components for appropriate action and are monitoring 872 referrals;
- Investigations provided 54 Integrity Awareness sessions to 1,898 Justice employees;
- Audit issued 37 internal audit reports; 28 other audit related products providing immediate information to Department management, questioned costs of almost \$2.5 million, and recommended close to \$11 million in funds put to better use.
- Inspections issued 10 final reports, and had 12 pending at the end of the year;
- Overall, the OIG issued 28 audit and inspections reports that addressed six of the 10 "high risk" areas identified by the Department and OMB.

- In the Central District of California, an INS supervisory mail clerk was charged with conspiracy, bribery, and visa fraud. This was one of the largest schemes uncovered involving the fraudulent manipulation of the INS Central Index System (CIS) - INS computerized alien records system - which holds over 30 million records. The clerk accepted thousands of dollars in return for entering fraudulent biographical information on over 300 aliens into CIS, some of whom were known Asian organized crime figures.
 - OIG's Operation Wolfpack resulted in the arrest and indictment of seven East Indians for bribing an INS employee who was cooperating with the OIG. Over a ten month period, the East Indians paid \$18,500 in bribes in exchange for 78 employment Authorization Documents. Additionally, 19 aliens were arrested by INS for receiving the illegally obtained documents.
 - Operation Wolfpack - a three-year investigation by the OIG, FBI, the U.S. Customs Service, and the Internal Revenue Service - resulted in charges against an INS Immigration Inspector for conspiracy to import and possession with intent to distribute a controlled substance. Also arrested were a U.S. Customs Inspector and a civilian. Wolfpack focused on the inspectors who allowed vehicles carrying multi-lake loads of cocaine, valued at \$78 million, to pass through their assigned inspection lanes at a U.S. Port of Entry.
 - Audits of the FY 1994 financial statements of the Federal Prison Industries Inc., Bureau of Prisons Commissary Trust Fund, and Working Capital Fund were completed and issued. Audits of the FY 1994 financial statements of the Asset Forfeiture Program, Community Relations Service, and National Exposure Compensation Trust Fund were also completed.
 - Audit also issued 428 business reports; issued 40 contract, grant and equitable sharing audit reports, and COPPS prepared reviews; revised and issued 240 single Audit reports covering 1,268 contracts and grants.
- The Violent Crime Control and Law Enforcement Act of 1994: The OIG has committed to improving the operation of the grant programs created by this Act. Specific activities undertaken include:
- OIG staff worked with the Office of Community Oriented Policing Services (COPS) in its implementation of the Act. The OIG performed 31 reviews of selected grant applicants under the COPS AHEAD, COPS FAST and COPS MORE programs to determine the accuracy, completeness and adequacy of documentation of the grant applicants. The OIG completed five investigations addressing allegations of fraud and misrepresentation with respect to COPS grant applicants and recipients. The OIG also reviewed whether community groups and appropriate public and private agencies were consulted in the formulation of applications and whether problems existed that might impede successful grant implementation.
 - In FY 1996, the OIG will conduct pre-award reviews of applicants seeking grants from the Violent Offender Incarceration Grant and the Truth in Sentencing Incentive Grant Program. The OIG will continue to receive referrals from OJP concerning grant applicants and grant recipients identified for specific OIG attention.

Particulars Notwithstanding OIG Projects:

- At the request of the House Permanent Select Committee on Intelligence, the OIG undertook a comprehensive review of the FBI's counterintelligence efforts in the identification and apprehension of Aldrich Ames to determine whether the FBI took the appropriate steps to determine why FBI intelligence assets were compromised.
- At the request of Congress and others, the OIG reviewed the Department's knowledge and handling of information about certain crimes of violence against U.S. citizens in Guatemala. As a result of this review, the Deputy Attorney General established new procedures for the Department's handling and tracking of crime reports that it receives from intelligence agencies.
- At the request of the Attorney General and the Chairman of the Congressional Task Force on Immigration Reform, the OIG is conducting an investigation into complaints that INS senior management at the Miami District Office had deceived members of the Task Force when they visited INS facilities in the Miami area.
- The OIG reviewed the U.S. Marshals Service reorganization plan as it relates to seized assets management and reported its findings to the Deputy Attorney General and Congress within 60 days of the request.
- The OIG investigated the scope of Justice Department personnel involvement in an annual gathering known as the Good 'O' Boys Roundup, to determine whether DOJ personnel had participated in any Roundups, and, if so, whether they had engaged in any racist behavior or other misconduct.
- The OIG performed an independent assessment of the FBI laboratory after it received complaints from an FBI employee of safety, quality control, deficiencies, and misconduct by other scientists in the laboratory.

Initiatives

	Perm.	FTE	Amount
1. Restoration of 1996 Cuts	1	33	\$2,784

Conference action denied the OIG its mandatory costs, and cut the OIG's budget by an additional \$1.9 M. Additionally, the OIG has had to absorb a cut slightly greater than fifty percent from a reimbursable agreement it has had with the U.S. Trustees. For an organization whose labor costs are greater than seventy percent of its total operating costs, these cuts and absorptions have translated into a workforce reduction of 33. The OIG is seeking the restoration of 1996 mandatory costs and the additional 1996 base cut, in the amount of 1 addition, 33 FTE and \$2,784 M. Failure to grant this initiative will severely jeopardize the OIG's ability to meet all of its mandated activities.

The disparity between the number of positions and the number of workyears represents a technical adjustment to bring the OIG's positions more in line with its FTE level. The loss of 33 workyears is not a technical adjustment, however, and will result in a continued significant decrease in the OIG's ability to begin new investigations, audits and inspections. As one example, a close examination of our performance indicators reveals an expected decline in investigative cases opened of 40 percent in FY 1996 from FY 1995 and a 47 percent decline in cases closed from FY 1995. In addition, we expect the timeliness of our work products to decline. One place where this may result in serious adverse effects is the expected delay in and smaller number of notifications of irregularities that the Audit Division develops and issues to the Investigations Division where fraud or abuse is indicated, based on audit work performed. Last, but not least, the OIG would almost certainly be forced into an employee RIF action.

It is hard to comprehend the wisdom of significantly scaling back the OIG at a time of Departmental growth, and particularly, growth in areas that foster the bulk of the OIG's workload, specifically, IRS and the Bureau of Prisons. These cuts amount to a decrease of approximately 10 percent, when it is clear that the OIG's workload is going to dramatically rise. This will have the effect of raising considerably the threshold by which we can begin new investigations, audits and inspections. Although we will continue to respond to special requests from the Attorney General and Congress, it is clear that these will come at the expense of our other work.

The increased resources are necessary to support the Attorney General's policies and priorities - specifically, to address expanding investigation programs, border civil rights issues, public corruption and integrity matters, and Departmental infrastructure investments. These resources will help the OIG keep pace with the substantial recent growth in the rest of the Department and enable the OIG to perform the statutorily required audits of the comprehensive Department financial statement.

	From	To	Amount
2. SW Border (Investigations)	10	8	91,799

The OIG requests additional resources for a Southwest Border Initiative, in partnership with other components in the Department. Although the OIG's Investigations Division's main focus is to investigate alleged violations of bribery, fraud, abuse, and integrity laws that govern DOJ and the operations it finances -- many of its cases involve corrupt DOJ public officials conspiring with drug traffickers or alien smugglers and fraudulent document vendors. Additionally, the OIG is maintaining 13 criminal investigations, two investigations assistants and one clerical position, to respond to expanding Departmental attention to Southwest Border issues. Coping with the overall budget climate, the OIG is asking for only one non-line position.

♦ The OIG is responsible for investigating allegations of criminal misconduct by DOJ officials and individuals intent on corrupting DOJ officials. The Southwest Border Initiative will effect OIG operations, and requests for OIG participation and cooperation with the Initiative have already begun. Throughout the extensive border region, the OIG has a total of 40 special agents, including supervisors, located in four field offices: San Diego, CA, Tucson, AZ, El Paso and McAllen, TX.

♦ The OIG offices in Tucson, El Paso, McAllen, and San Diego are already participating in, or have been requested to join, U.S. Customs Service/FBI Border Corruption Task Forces. The OIG's knowledge of INS and experience in investigating INS document, alien smuggling, and drug trafficking cases involving corrupt DOJ officials is of great value to these task forces and a major reason we have been requested to participate. The OIG's data base and intelligence sources, developed because of the OIG's mission to investigate corrupt DOJ officials and those conspiring to corrupt DOJ officials, is significant and of value to these task forces.

♦ Over 80% of the OIG's San Diego Field Office's case load is in the Imperial Valley area of El Centro, California. All major Federal law enforcement agencies have opened offices in that area. The San Diego USA has recognized the value of the OIG's focus and expertise on corruption and has requested that the OIG open an office in El Centro because of the large number of INS facilities in the area. The San Diego Field Office has an agent staff of 13, with two agents working full time on the FBI/Customs Corruption Task Force in San Diego.

♦ The Department's civil rights initiative, currently successfully operating in San Diego, is expected to expand across the Southwest Border. The OIG's San Diego Field Office conducts preliminary investigations of all civil rights allegations received and, at the request of the USA, conducts joint investigations with the FBI of those civil rights cases accepted for criminal investigation. The majority of INS civil rights allegations come from the Southwest Border. The OIG's El Paso Field Office is currently involved in discussions to initiate a joint civil rights effort with the FBI. The small list of OIG Border offices and staff

responsibility for investigations situations in RDC, USMS, IRS, U.S. Attorney's offices and, when appropriate, DEA and FBI, limits our ability to interact with other law enforcement agencies without an infusion of additional resources.

Finally, and of major significance, it is our experience that drug-trafficking and alien smuggling involve corruption, which converges with our jurisdiction and expertise.

	Perm.	FTE	Amount
	Pos.		
3. Financial Statement Audits (Audit)	10	8	\$11,924

While the Department is responsible for the development of financial statements, the OIG is required to either audit or oversee the audit of those financial statements. Additionally, a department-wide consolidated statement is now mandated by law. The OIG needs 10 positions just to meet the statutory requirement of the GARA as it expands on the CFO Act's requirements of Department-wide audited financial statements. These positions will augment the four positions currently devoted to financial statement audits. The Department is requiring each component to generate financial statements, and the Audit Division must ensure that these are audited in accordance with Government Auditing Standards. Financial statement audits require lead auditors who possess a CPA and support auditors with financial statement experience. Again, all but one of the positions requested is a direct line position. The OIG has elected not to perform the audits itself, but to contract for those audit services. Of the amount requested, \$10,000,000 is for contract costs. Nonetheless, a substantial effort must be expended by the OIG in order to ensure the success of the audits. Among other duties, the OIG will need to:

- ◆ Contract to obtain independent public accounting (IPAs) firms that have the technical competence to perform financial statement work. OIG staff will:
 - Prepare detailed and comprehensive Statements of Work, interview prospective accounting firms, serve on technical selection panels, and make appropriate selections.
 - Validate worksheets, verify testing, and assess the professional acceptability and reliability of accounting methodologies used to ensure that all work performed by the IPAs is performed in accordance with the Government Auditing Standards and the American Institute of Certified Public Accountants (AICPA) professional standards.
 - Monitor the performance of the IPAs to ensure that all work adequately addresses the requirements of the CFO and GARA Acts.
 - Perform regular reviews of deliverables and ensure consistency with the contract, as well as review and authorize all bills for payment.
- ◆ Work with the GAO, the PCIE, the OMB, and other government agencies on all matters related to audited financial statements.
- ◆ Provide technical assistance to requesting Departmental components in the areas of preparation of financial statements, improvements in financial management systems, and cash management issues.
- ◆ Provide input to the OMB, FASB, FAMP, and the GAO on policy development and procedural matters related to financial statement auditing.

- Respond to immediate requests for financial related and performance audit work from the Congress and high level Department management

Financial statements currently prepared in accordance with the CFO Act and audited under the direction of the OIG include: the Working Capital Fund, Asset Forfeiture Program, Community Relations Service, Radiation Exposure Compensation Trust Fund, BOP Commissary Trust Fund, IRS Fee Accounts and Breached Bond Detention Fund, and the Federal Prisons Industries, Inc. The Department is required to prepare and audit the Violent Crime Reduction Trust Fund accounts for FY 1995 and each year thereafter. For FY 1997, the Department's entire budget of \$18.3 billion will be subject to a Department-wide financial statement and the accompanying audits either performed by the OIG, or performed under contract with OIG oversight.

The process of preparing annual financial statements and subjecting them to independent audit deters fraud, waste and abuse of Government resources and establishes accountability and discipline in the Federal financial management process. The result is more complete, reliable, timely, and consistent financial information for use by the Executive Branch of the Government and the Congress in the financing, management, and evaluation of Federal programs.

Financial statement audits are not an end unto themselves. Financial statement audits assess whether financial statements fairly present the agency's financial condition and results of operations, the adequacy of accounting controls, and compliance with laws and regulations. Even so, the real value of these audits is that they prompt managers to improve their financial systems to ensure that they comply with all standards. Additionally, experience shows that these audits lead managers to identify those systems which, while providing essentially accurate information, are not providing necessary useful information, enabling managers to make sound programmatic and resource allocation decisions based on sound financial information. These positions will enable the OIG to ensure the Department has audited financial statements for all components.

GENERAL GOAL #1: Provide timely, accurate, and objective analysis and information to Department officials.

INVESTIGATIONS DIVISION										
PERFORMANCE INDICATOR INFORMATION		PERFORMANCE TARGETS AND ACTUAL RESULTS								
Type of Indicator	Performance Indicators	1993 Actual	1994 Actual	1995 Target	1995 Actual	1996 Target	1996 Actual	1997 Target	1997 Actual	1997 Target
Input	1. Complaints Received	5,772	4,927	5,200	5,227	5,200	5,200	5,200	5,200	5,200
Output/Activity	2. Investigations Initiated and Referrals Made	4,000	4,061	4,000	4,797	4,200	4,200	4,275	4,275	4,275
Intermediate Outcomes	3. Investigations and Referrals Closed ¹	4,000	5,327	4,000	5,000	3,900	3,900	4,275	4,275	4,275
End Outcomes	4. Investigation Reports sent to the Component 5. Reports on Operational Activity to Department Officials	00	00	00	377	300	300	600	600	600
Productivity/Efficiency		00	00	00	76	90	90	90	90	90
A. Definitions of Terms or Explanations for Indicators										
00 = Not available. FYs 2 & 3. Includes allegations classified as preliminary and full investigations, mentioned referrals and referred management issues. FY 5, FYs include, among others, reports to the Office of Enforcement Operations (top and lower & consumer monitoring) reports on initiatives (i.e., civil rights), special state reports on high visibility investigations, and, special report statistical reports for components.										

¹ This number was exceptionally high in FY 1994 due to an administrative focus on closing referrals based on the length of time open and the Component's backlog.

<p>B. Factors Affecting FY 95 Program Performance. Describe reasons for any significant differences between target levels of performance and estimates of actual performance, whether positive or negative.</p> <p><i>/ 4. A tracking system was in place mid-year of FY 1995.</i></p> <p><i>/ 5. No system in place to count for prior fiscal years.</i></p>
<p>C. Factors Affecting Selection of FY 96 and 97 Targets. Provide information on the selection of target levels of performance, where necessary.</p> <p><i>/ 3. The number of closures remains hiring some experienced agents who will be able to work on cases immediately.</i></p> <p><i>FY 1996 Targets take into consideration budget constraints because of continuing reductions, two firings, agent vacancies that cannot be filled because of the budget and the number of agents assigned to special investigations. All of which have a negative effect on the workload.</i></p>

* Designates an indicator exceeding 1 requested 1997 program change. A performance indicator and target must be set for the results that will be achieved should resources be received.

GENERAL GOAL #2: Promote the efficiency and effectiveness of Department programs and operations.

INVESTIGATIONS DIVISION									
PERFORMANCE INDICATOR INFORMATION		PERFORMANCE TARGETS AND ACTUAL RESULTS							
Type of Indicator	Performance Indicators	1993 Actual	1994 Actual	1995 Target	1995 Actual	1996 Target	1996 Actual	1997 Target	1997 Actual
Input	1. Civil Rights Complaints Received	438	449	465	664	670	670	700	700
Output/Activity	2. All INS Civil Rights Investigations Tracked	00	00	00	90	100	100	115	115
	3. Civil Rights Allegations Investigated by the OIG	25	66	42	66	77	77	88	88
Intermediate Outcomes	4. Average # of Days to Complete an OIG Civil Rights Investigation	45	172	116	81	83	83	81	81
End Outcomes	5. INS Civil Rights Investigations Tracked and Closed*	00	00	00	39	43	43	50	50
	6. INS Civil Rights Related Disciplinary Actions Tracked and Closed*	00	00	00	12	25	25	30	30
Predictability/Efficiency									
A. Definitions of Terms or Explanations for Indicators:									
00 = Not Available.									
P's 2, 5, & 6. Related to the Deputy Attorney General's INS Civil Rights Initiative requiring the OIG/INS to: (1) Act as central repository for all INS civil rights complaints, and (2) Specifically, track all INS Civil Rights allegations and the status of criminal investigations, referrals and disciplinary actions taken.									
P's 3 & 4. Includes preliminary investigations.									
B. Factors Affecting FY 95 Program Performance. Describe reasons for any significant differences between target levels of performance and estimates of actual performance, whether positive or negative.									
P's 2, 5, & 6. No system in place to track until FY 1996.									

C. Factors Affecting Selection of FY 96 and 97 Targets. Provide information on the selection of target levels of performance, where necessary.

2, 5 & 6. An increase of INS employees hired, and assigned and employees transferred to the Southwest border, is expected to increase the number of INS Civil Rights allegations.

• Designation as indicator covering a requested 1997 program change. A performance indicator and target must be set for the results that will be achieved should resources be received.

GENERAL GOAL #2: Detect and deter misconduct in programs and operations within or financed by the Department.

INVESTIGATIONS DIVISION										
PERFORMANCE INDICATOR INFORMATION		PERFORMANCE TARGETS AND ACTUAL RESULTS								
Type of Indicator	Performance Indicators	1993 Actual	1994 Actual	1994 Target	1995 Actual	1995 Target	1996 Actual	1996 Target	1997 Actual	1997 Target
Input	1. Investigations in an Open Status	1,373	1,522	1,530	1,471	1,410	1,503			
Output/Activity	2. Investigations Opened*	1,015	1,010	1,020	1,000	600	1,000			
	3. Investigations Closed*	861	1,047	935	935	500	1,000			
	4. Non-Telephone Complaint Monitorings	268	339	306	522	400	450			
	5. Integrity Briefings	75	53	35	54	60	65			
	6. DOJ Employees Attending Integrity Briefings	232	1,952	1,500	1,696	1,800	2,000			
Intermediate Outcome	7. Arrests*	119	142	130	112	115	125			
	8. Indictments/Informations	79	88	84	101	84	97			
	9. Average # of Days Investigation is Open	151	162	165	172	175	172			
End Outcome	10. Convictions	96	111	104	98	102	115			
	11. Administrative Actions Taken by Components*	ee	244	215	114	100	130			
Predictivity/Efficiency										
A. Definitions of Terms or Explanations for Indicators:										
ee = Not available.										
#1. Refrains investigations—preliminary, full and auxiliary—that were in an open status any time during the year.										
#2. #3. Investigations include preliminary investigations, full investigations and auxiliary investigations.										
#4. An "information" is a formal accusation of a crime made by a prosecuting Attorney.										
#5. Factors Affecting FY 99 Program Performance. Describe reasons for any significant differences between target levels of performance and estimates of actual performance, whether positive or negative.										

<p>C. Factors Affecting Selection of FY 96 and 97 Targets. Provide information on the selection of target levels of performance, where necessary, for 8, 10, and 11. The OIG does not have ultimate control over these indicators.</p> <p>FY 1996 Targets take into consideration budget constraints because of continuing resolutions, two furloughs, agent vacancies that cannot be filled because of the budget and the number of agents assigned to special investigations. All of which have a negative effect on the workload.</p>
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- Disagrees on indicators covering a reported 1997 program change. A performance indicator and target must be set for the results that will be achieved should resources be reduced.

GENERAL GOAL #4: Build relationships with customers based on a shared commitment to improving program operations and effectiveness.

INVESTIGATIONS DIVISION									
PERFORMANCE INDICATOR INFORMATION		PERFORMANCE TARGETS AND ACTUAL RESULTS							
Type of Indicator	Performance Indicators	1993 Actual	1994 Actual	1995 Target	1995 Actual	1996 Target	1997 Target		
Input									
Output/Activity	1. # of Quality Performance Surveys sent to Components 2. # of Liaison Visits to Components 3. # of Briefings to Components Regarding the OIG Mission & Operations	00	00	00	209	300	350		
		00	00	00	18	25	40		
		00	00	00	13	15	15		
Intermediate Outcome	4. Responses to Survey: - Received Report in a Timely Manner (percent) - Issues were Sufficiently Addressed in the Investigation Report (percent)	00	00	00	36%	36%	38%		
		00	00	00	41%	41%	43%		
	5. DOI Employees Participating in Liaison Visits and Briefings	00	00	00	510	300	400		
End Outcome	6. OIG Policy or Procedural Changes based on Component Feedback	00	00	00	2	6	3		
Predictability/ Efficiency									
A. Definitions of Terms or Explanations for Indicators:									
00 = Not Available.									
B. Factors Affecting FY 95 Program Performance. Describe reasons for any significant differences between target levels of performance and estimates of actual performance, whether positive or negative.									
FY 1-6. Systems were put in place during the fiscal year.									

<p>C. Factors Affecting Selection of FY 96 and 97 Targets. Provide information on the selection of target levels of performance, where necessary. FY 1995 Targets take into consideration budget constraints because of continuing resolutions, two furloughs, equal vacancies that cannot be filled because of the budget and the number of agents assigned to special investigations. All of which have a negative effect on the workload.</p>

* Disagrees on indicators serving a repeated 1997 program change. A performance indicator and target must be set for the results that will be achieved should resources be received.

GENERAL GOAL #5: Foster an OMO environment in which efficiency, teamwork, and organizational excellence thrive.

INVESTIGATIONS DIVISION									
PERFORMANCE INDICATOR INFORMATION			PERFORMANCE TARGETS AND ACTUAL RESULTS						
Type of Indicator	Performance Indicators		1993 Actual	1994 Actual	1995 Target	1996 Actual	1996 Target	1997 Target	
Input	1. Training Funds		\$70,200	\$77,774	\$80,000	\$81,041	\$85,000	\$129,500	
Output/Activity									
Intermediate Outcome	2. Employees involved in continuing education to enhance skills and abilities		225	202	184	262	90	275	
Final Outcome									
Productivity/Efficiency									
A. Definitions of Terms or Explanations for Indicators:									
ee = Not available.									
# 2. Reflects the cumulative number of employees attending each training session.									
B. Factors Affecting FY 95 Program Performance. Describe reasons for any significant differences between target levels of performance and estimates of actual performance, whether positive or negative.									
C. Factors Affecting Selection of FY 96 and 97 Targets. Provide information on the selection of target levels of performance, where necessary.									
FY 1 & 2 FY 1996 targets are affected by budget constraints due to continuing reductions.									

* Discrepancy on indicator covering a reported 1997 program change. A performance indicator and target must be set for the results that will be achieved should resources be received.

GENERAL GOAL #1: Provide timely, accurate, and objective analysis and information to Department officials.

GENERAL GOAL #1: Provide timely, accurate, and objective analysis and information to Department officials.

AUDIT DIVISION

PERFORMANCE INDICATOR INFORMATION		PERFORMANCE TARGETS AND ACTUAL RESULTS						
Type of Indicator	Performance Indicators	1993 Actual	1994 Actual	1995 Target	1995 Actual	1996 Target	1997 Target	
Input								
Output/Activity	1. Draft internal audit reports provided to the auditee prior to the exit conference 2. Days between receipt of the single audit reports to their issuance 3. Days between the completion of field work and issuance of United States Treasury (UST) reports	**	**	**	75%	75%	80%	
		**	**	**	60	75	60	
		**	**	**	38	45	37	
Intermediate Outcome	4. Briefings to responsible program officials on the results of internal audits 5. Frequency of quality review activities of audits prior to report issuance	**	**	**	100%	95%	95%	
		**	**	**	100%	100%	100%	
End Outcome	6. Meet quarterly UST report issuance targets (Y/N) 7. Final audit products free of material errors (Y/N) 8. Audit workplan remains current, relevant, and flexible enough to incorporate Department management requests for services (Y/N)	**	**	**	Y	Y	Y	
		**	**	**	Y	Y	Y	
		**	**	**	Y	Y	Y	
Predictability/Efficiency								

A. Definitions of Terms or Explanations for Indicators:

<p>A. Definitions of Terms or Explanations for Indicators:</p> <p>#1 = Not available.</p> <p>#2. Single audit reports are those performed by independent public accountants and/or state and local units of government of federal funds. Provisions for these audits are found in the Single Audit Act of 1984.</p> <p>#3. Based on a Divisionwide average.</p> <p>#6. Based on entire Division report issuance targets.</p> <p>#7. Audit products can include, but are not limited to, internal audit reports, memorandum audit reports, management information memoranda, technical assistance memoranda, and technical advice.</p>	
<p>B. Factors Affecting FY 98 Program Performance. Describe reasons for any significant differences between target levels of performance and estimates of actual performance, whether positive or negative.</p> <p>#1's 1-4. Statistics not kept by these categories for fiscal years 1993 - 95.</p> <p>#4. Declarations of briefings by responsible program officials will affect the projected performance.</p>	
<p>C. Factors Affecting Selection of FY 96 and 97 Targets. Provide information on the selection of target levels of performance, where necessary.</p> <p>#1's 1, 3 and 6. The Audit Division lost over 10 professional workyears of direct audit time due to the two furloughs.</p> <p>#4. Budget restrictions may affect availability of briefings.</p>	

GENERAL GOAL #2: Promote the efficiency and effectiveness of Department programs and operations.

PERFORMANCE INDICATOR INFORMATION		AUDIT DIVISION				PERFORMANCE TARGETS AND ACTUAL RESULTS			
Type of Indicator	Performance Indicators	1993 Actual	1994 Actual	1995 Target	1995 Actual	1996 Target	1997 Target		
Input									
Output/Activity	<ul style="list-style-type: none"> 1. Internal audit products issued to Department senior management 2. Percent of Department High Risk Areas addressed in internal and external audit work 3. Number of Department components in which audit work is performed 	<ul style="list-style-type: none"> ** ** ** 	<ul style="list-style-type: none"> ** ** ** 	<ul style="list-style-type: none"> ** ** ** 	<ul style="list-style-type: none"> 37 50% 12 	<ul style="list-style-type: none"> 45 33% 10 	<ul style="list-style-type: none"> 45 40% 12 		
Intermediate Outcome	<ul style="list-style-type: none"> 4. Percent of significant Departmental program improvement taken in response to audit recommendations 5. Percent of recommendations and corresponding corrective actions monitored through a followup system 	<ul style="list-style-type: none"> ** ** 	<ul style="list-style-type: none"> ** ** 	<ul style="list-style-type: none"> ** ** 	<ul style="list-style-type: none"> 74 100% 	<ul style="list-style-type: none"> 50% 95% 	<ul style="list-style-type: none"> 50% 95% 		
End Outcome	<ul style="list-style-type: none"> 6. Issues a consolidated report to the Executive Office of the United States Treasuries (EOUST) (Y/N) 7. Through the implementation of audit advice, recommendations and corresponding corrective actions, enhance Department program operations (Y/N) 8. Audit Division work efforts reflect balanced coverage of the bureaus and major Departmental components (Y/N) 	<ul style="list-style-type: none"> ** ** ** 	<ul style="list-style-type: none"> ** ** ** 	<ul style="list-style-type: none"> ** ** ** 	<ul style="list-style-type: none"> Y Y Y 	<ul style="list-style-type: none"> Y Y Y 	<ul style="list-style-type: none"> Y Y Y 		
Productivity/Efficiency									

A. Definitions of Terms or Explanations for Indicators	
<p>ee = Not available.</p> <p># 2. Internal audit work involves Departmental programs and operations. External audit work is consisted of grants, contracts, and other agreements entered into by the Department with non-federal entities.</p> <p>#'s 4 & 7. The use of a Program Impact Chart which reflects Departmental actions taken in response to audit recommendations will result in a measurement for more efficient and effective programs and operations.</p>	
<p>B. Factors Affecting FY 95 Program Performance. Describe reasons for any significant differences between target levels of performance and estimates of actual performance, whether positive or negative.</p> <p>#'s 1 & 2. Statistics not kept by these categories for fiscal years 1993-1995.</p> <p>#'s 3 & 5. Based on available resources and component requests for audit services.</p>	
<p>C. Factors Affecting Selection of FY 96 and 97 Targets. Provide information on the selection of target levels of performance, where necessary.</p> <p>#'s 1, 2, 3 and 5. The Audit Division lost over 10 professional workyears of direct audit time due to two furloughs.</p> <p>• Presupposes an increase in staff of 10 FTE.</p>	

* Disagrees on indicator covering a requested 1997 program change. A performance indicator and target must be set for the results that will be achieved should resources be received.

GENERAL GOAL #3: Detect and deter misconduct in programs and operations within or financed by the Department.										
AUDIT DIVISION										
PERFORMANCE INDICATOR INFORMATION		PERFORMANCE TARGETS AND ACTUAL RESULTS								
Type of Indicator	Performance Indicators	1993 Actual	1994 Actual	1995 Target	1995 Actual	1996 Target	1997 Target			
Input										
Output/Activity	1. Audit programs (guides) developed by the Audit Division will contain steps designed to test for indications of fraud or abuse in Departmental operations/activities (Y/N) 2. Percent of instances where Notifications of Irregularities are developed and issued to the OIG Investigations Division where fraud or abuse is indicated based on audit work performed 3. Response to requests for presentations to Department components on audit issues/experiences designed to educate the audience and identify situations that could lead to increased opportunities for fraud or abuse	** ** **	** ** **	** ** **	Y 100% 100%	Y 95% 75%	Y 95% 90%			
Intermediate Outcome	4. Number of working days by which Notifications of Irregularities are issued to the OIG Investigations Division from the confirmed date of discovery	**	**	**	5	7	5			
End Outcome	5. Issue Investigative Assistance Memoranda based upon audit work performed (Y/N) 6. Identify those instances to the OIG Investigations Division and/or Department management where systemic weaknesses exist in Departmental programs and operations (Y/N)	** **	** **	** **	Y Y	Y Y	Y Y			

Productivity/ Efficiency									
A. Definitions of Terms or Explanations for Indicators:									
ee - Not available.									
B. Factors Affecting FY 95 Program Performance. Describe reasons for any significant differences between target levels of performance and estimates of actual performance, whether positive or negative.									
#1 1-4. Statistics not kept by these categories for fiscal years 1993 - 1995. #3. Percent based on number of requests received.									
C. Factors Affecting Selection of FY 96 and 97 Targets. Provide information on the selection of target levels of performance, where necessary.									
#1. Travel budget constraints resulted in an instance of not providing a requested briefing. #3 and 4. The Audit Division lost over 10 professional workyears of direct audit time due to two furloughs. • Presupposes an increase of staff of 10 FTE.									

* Designates an indicator exceeding a requested 1997 program change. A performance indicator and target must be set for the results that will be achieved should resources be received.

GENERAL GOAL # 4: Build relationships with customers based on a shared commitment to improving program operations and effectiveness.

AUDIT DIVISION									
PERFORMANCE INDICATOR INFORMATION		PERFORMANCE TARGETS AND ACTUAL RESULTS							
Type of Indicator	Performance Indicators	1993 Actual	1994 Actual	1995 Target	1995 Actual	1996 Target	1997 Target		
Input	1. Request input from each Departmental component for audit suggestions/services and meet with each component that submits such a request, if requested (Y/N) • 2. Percent of audit resources devoted to requests for audit services emanating from Departmental components as part of the annual workplan call	••	••	••	Y	Y	Y		
Output/Activity	3. Number of USTs briefed on audit services in their regions and related issues/concerns of interest to all parties 4. Number of customer surveys performed of primary Departmental customers	••	••	••	18	10	10		
Intermediate Outcome	5. Percent of time during internal audits that communication and presentation of preliminary findings/recommendations with the addressee occurs during the course of the audit 6. Percent of time that the auditor asks for the customer's (addressee's) opinion of the quality of the audit services provided	••	••	••	100%	90%	90%		
End Outcome	7. Provide the necessary audit expertise to Departmental management in program development/assessment (e.g., COPA, jail agreements) (Y/N) 8. Audit Division services are independent and objective, while responsive to the feedback obtained (Y/N)	••	••	••	Y	Y	Y		

GENERAL GOAL #5: Foster an OIG environment in which efficiency, teamwork, and organizational excellence thrive.											
AUDIT DIVISION											
PERFORMANCE INDICATOR INFORMATION			PERFORMANCE TARGETS AND ACTUAL RESULTS								
Type of Indicator	Performance Indicators		1993 Actual	1994 Actual	1995 Target	1995 Actual	1996 Target	1997 Target			
Input	1. Recognize superior Audit Division performance by means of an award mechanism 2. Participate with other OIG divisions on issues of OIG-wide importance		..	..	..	Y	..	..	
Output/ Activity	3. Adequately train staff to ensure all professional staff have the skills necessary to provide audit services to the Department and meet the 80 hour, two year CPE cycle (Y/N) 4. Hold implementation sessions wherein clear, concise audit objectives are articulated and standardized audit programs (guides) are provided (Y/N) 5. Office Directors/PLAMs brief staff on Audit Division decisions/action items after each quarterly operations review 6. Percent of offices wherein training sessions are held at least once every two years 7. Lead Audit Division procedures/process expertise to other OIG divisions if/when appropriate		..	..	..	Y	Y	Y			
			..	..	..	100%	75%	90%			
			..	..	..	100%	80%	80%			
			..	..	..	100%	70%	100%			
Intermediate Outcomes	8. Quarterly assess the progress of the Audit Division's workplan to ensure the terms of the reimbursable agreements are being met 9. Distribution of the Audit Division's workplan to senior management		..	..	..	4 times	3 times	4 times			
			..	..	..	4 times	3 times	4 times			

OFFICE OF THE INSPECTOR GENERAL
Salaries and Expenses
Financial Analysis—Program Changes
(Dollars in Thousands)

Item	Restoration of FY 1988 Reductions		SW Border (Investigations)		Financial Statement Audits		Totals	
	Pos.	Amount	Pos.	Amount	Pos.	Amount	Pos.	Amount
Grades								
GS-13	..	..	13	717	9	487	22	1,206
GS-12 (Average)	33	2,301	2	87	..	..	35	2,301
GS-08	..	..	1	31	1	..	2	87
GS-06	..	..	..	..	..	..	2	80
Total Positions & Annual Rate	33	2,301	16	808	10	519	59	3,628
Leaves (-)	..	..	(9)	(400)	(9)	(239)	(19)	(839)
LEAP	..	..	3	101	..	..	3	101
Other compensation	..	..	..	..	..	..	..	0
Total Workyears & Compensation	33	2,301	11	504	5	289	49	3,094
Personnel benefits	..	483	..	..	..	471	..	1,003
Travel & Transportation of Persons	..	..	108	..	..	45	..	183
Transportation of Things	..	..	79	..	..	61	..	140
GSX Rent	..	..	154	..	..	90	..	344
Other rents	..	..	2	..	..	1	..	9
Comm., U.S., Misc.	..	..	36	..	..	19	..	82
Pricing	..	..	2	..	..	1	..	3
Other services	..	..	130	..	..	10,009	..	11,009
Supplies and materials	..	..	30	..	..	11	..	41
Equipment	..	..	105	..	..	80	..	185
Total program FTE & obligations changes requested, 1987	33	2,794	11	1,790	5	11,864	49	16,307

OFFICE OF THE INSPECTOR GENERAL
-Salaries and Expenses
1997 Priority Ranking

BASE PROGRAM		PROGRAM INCREASES	
Program	Ranking	Program	Ranking
Audits	1	Restoration of 1996 Cuts	1
Investigations	2	SW Border Initiative	2
Inspections	3	Financial Statement Audits	3
Program Support	4		

OFFICE OF THE INSPECTOR GENERAL
Salaries and Expenses
Detail of Permanent Positions by Category
Fiscal Years 1996 - 1997

Category	1995		1996		1997	
	Auth.	Reimb.	Auth.	Reimb.	Auth.	Reimb.
Personal Management (200-500).....	7	...	3	...	3	...
General Admin. & Clerical (200-500).....	155	7	143	3	182	...
Accounting & Budget (200-500).....	52	26	56	30	96	15
Attorneys (200).....	5	...	5	...	5	...
Business & Industry (1100-1199).....	1	...	1	...	1	...
Investigative Assistants (1800).....	2	6	6	6	2	10
Criminal Investigations Series (1811).....	109	24	109	24	140	...
Total.....	331	75	225	66	327	15
Washington.....	128	19	149	7	149	15
U.S. Field.....	202	62	207	25	240	...
Total.....	331	81	375	30	327	15

1997 Targeted Positions						
Supervisors.....	75	...	75	...	75	...
Personal Specialists.....	7	...	6	...	6	...
Budget Specialists.....	2	...	1	...	1	...
Accountants & Auditors.....	94	...	94	...	9	100
Acquisition Specialists.....	1	...	1	...	1	...
Headquarters Staff.....	102	...	99	...	99	...

* The mix of Headquarters, Washington and field allocations won't be known until these positions are filled.

OFFICE OF THE INSPECTOR GENERAL
Salaries and Expenses
Schedule of Motor Vehicles

Method of Acquisition and Type of Vehicle	1994 End-of-Year Inventory	1995			1996			1997		
		Disposed	Acquired	End-of Year	Disposed	Acquired	End-of Year	Disposed	Acquired	End-of Year
Direct Purchase:										
Van	10	...	...	10	...	...	10	...	...	10
Pickup	1	...	...	1	...	...	1	...	...	1
Subtotal Purchased	11	...	...	11	...	...	11	...	...	11
Leased:										
Compact sedan	6	6	...	0	...	22	22	11	21	22
Midsize sedan	61	27	27	61	61	42	42	21	24	45
Fullsize sedan	6	1	2	9	9	6	6	3	3	6
SUV	...	...	...	0	0	...	0	...	...	0
Utility	15	4	10	21	21	24	24	12	12	24
Subtotal Leased	92	40	39	91	91	94	94	47	60	107
Total Vehicles	103	40	39	102	91	94	105	47	80	118

OFFICE OF THE INSPECTOR GENERAL
Salaries and Expenses
Summary of Agents and/or Attorneys and Support Positions/Workyears
1996 - 1997

	1996 Conference level								1997 Increases								1997 Request Level							
	Agents				Support				Agents				Support				Agents				Support			
	Pos	FTE	Pos	FTE	Pos	FTE	Pos	FTE	Pos	FTE	Pos	FTE	Pos	FTE	Pos	FTE	Pos	FTE	Pos	FTE				
Inspector General	133	133	6	5	228	235	13	7	0	0	2	2	148	140	6	6	240	237						

	REMEMBRABLE PORTIONS											
	1996 Conference level				1997 Increases				1997 Request Level			
	Agents		Support		Agents		Support		Agents		Support	
	Pos	FTE	Pos	FTE	Pos	FTE	Pos	FTE	Pos	FTE	Pos	FTE
Inspector General	30	30	...	...	...	...	0	0
							-15	-15	0	0	0	0
											15	15

Office of the Inspector General
 Salaries and Expenses
 Justification of Adjustments to Base
 (Dollars in Thousands)

	Pos.	NYL	Amount
1. Transfer from General Administration.....	50	50	5,000
The permanent transfer of \$5,000,000 is in lieu of the annual reimbursable agreement between INS and the OIG, which was suggested and authorized during the 1992 appropriations process. The agreement allows for reimbursement of OIG expenditures that clearly are related to either the user or examination fee account. The transfer of these resources will enable the OIG to be more responsive to the needs of INS by allowing their expenditures in other, more vulnerable INS programs and activities not related to the fee accounts.			
2. Mail Management Distribution.....	...	...	6
This request represents a reallocation of Departmental costs associated with centrally provided mail management services (including distribution).			
Total Transfers.....	...	...	5,006

Increases:

1. 1997 pay rates and locality pay adjustment.....	...	...	640
This request provides for the proposed 3.0 percent pay rate, including locality pay, to be effective in January of 1997 and is consistent with Administration policy included in the IMD-Session Review revised economic assumptions, June 11, 1995. The amount requested, \$640,000, represents the pay amounts for three-quarters of the fiscal year plus appropriate benefits (\$528,000 pay and \$111,000 benefits = \$640,000).			
2. 1998 locality pay adjustments.....	...	...	86
This adjustment represents the locality pay increase anticipated to be effective in January 1998. The 1998 increases are calculated at the rates approved in 1995, for the full fiscal year.			
3. Annualization and increase of 1998 pay rates.....	...	...	219
This pay annualization represents the first quarter amounts (October through December) of the 1998 pay increase of 2.0 percent effective January 1998, plus appropriate personnel benefits (\$175,000 for pay and \$44,000 for benefits).			

Justification of Adjustments to Base (Continued)
(Continued in Thousands)

	Pos.	WZ.	Amount
4. Wage-grade increases	313
This request provides for the expected increase in costs of within-grade increases. This increase is based on an accurate, dynamic model of the Department's employee population which includes numerous factors such as anticipated pay raises, adjustments to include three-year attrition/separation and career ladder series to reflect promotion policy for each organization (\$250,000 for pay and \$60,000 for benefits).			
5. Accident compensation	94
This increase reflects the billing provided by the Department of Labor (DOL) for the actual costs in 1986 of employees' accident compensation. The 1987 amount will be \$94,000.			
6. Tax and mileage allowance rate	3
This mileage allowance rate has increased from 25 to 30 cents per mile. An increase of \$3,000 is required in 1987 to cover this rate adjustment.			
7. General Services Administration (GSA) rent	88
GSA will continue to charge rental rates that approximate those charged to commercial tenants for equivalent space and related services. The requested increase of \$80,000 is required to meet the GSA's commitment to GSA. The costs associated with GSA rent were derived through the use of the automated system, which uses the latest inventory data and GSA-provided 1986 rates.			
8. General pricing level adjustments	52
This request applies OMB pricing guidance as of June 11, 1985, to selected expense categories. The increased costs identified result from applying a factor of 3.1 percent against those sub-object classes where the price that the Government pays are established through the market system instead of by law or regulation. Generally, the factor is applied to supplies, materials, equipment, contracts with the private sector, printing costs, transportation costs and utilities.			
Total mandatory increases	-1,478
Total Adjustments to Base	50	50	6,482

OFFICE OF INSPECTOR GENERAL
Salaries and Expenses
Summary of Requirements by Grade and Object Class
(Dollars in thousands)

	1965 Actual			1968 Estimate			1967 Request			Increase/Decrease		
	Pos.	Wyn.	Amount	Pos.	Wyn.	Amount	Pos.	Wyn.	Amount	Pos.	Wyn.	Amount
Grades and Salary Ranges												
Executive Level IV, \$115,720	1	1	1	1	1	1	1	1	1	1	1	1
ES-4, \$115,000	3	3	3	3	3	3	3	3	3	3	3	3
ES-3, \$115,075	2	2	2	2	2	2	2	2	2	2	2	2
ES-2, \$108,250	2	2	2	2	2	2	2	2	2	2	2	2
GS-15, \$88,250-94,000	34	34	34	34	34	34	34	34	34	34	34	34
GS-14, \$82,500-87,500	34	34	34	34	34	34	34	34	34	34	34	34
GS-13, \$68,250-73,500	108	108	108	108	108	108	108	108	108	108	108	108
GS-12, \$61,250-66,500	84	84	84	84	84	84	84	84	84	84	84	84
GS-11, \$54,250-59,500	17	17	17	17	17	17	17	17	17	17	17	17
GS-10, \$51,000-57,000	11	11	11	11	11	11	11	11	11	11	11	11
GS-9, \$45,715-47,200	11	11	11	11	11	11	11	11	11	11	11	11
GS-8, \$41,715-43,200	10	10	10	10	10	10	10	10	10	10	10	10
GS-7, \$35,450-37,200	20	20	20	20	20	20	20	20	20	20	20	20
GS-6, \$31,200-34,000	8	8	8	8	8	8	8	8	8	8	8	8
GS-5, \$17,000-22,175	5	5	5	5	5	5	5	5	5	5	5	5
GS-4, \$15,100-19,717	3	3	3	3	3	3	3	3	3	3	3	3
Library Pay												
100% replacement	37	37	13,775	37	37	17,200	37	37	17,200	37	37	17,200
Pay above stated annual rates												
Leave	(34)		(1,716)	(34)		(1,254)	(34)		(970)	(34)		(900)
Savings due to lower pay scales for part of year			(850)			(110)			(100)			(90)
Net, full-time personnel	295	295	10,009	295	295	12,036	295	295	21,320	295	295	1,770
Other personnel												
Part-time personnel	1	1	24	1	1	24	1	1	24	1	1	24
Temporary employment	2	2	150	2	2	100	2	2	100	2	2	100
Other than part-time, students & internment	1	1	30	1	1	31	1	1	30	1	1	30
Other personnel compensation												
Overseas	1	1	80	1	1	72	1	1	70	1	1	70
Unfunded liability pay	10	10	1,000	10	10	1,175	10	10	1,175	10	10	1,175
Other compensation	1	1	87	1	1	110	1	1	110	1	1	110
Total, Workyears & personnel compensation	310	310	18,004	310	310	19,798	310	310	24,700	310	310	5,907
Average GS Salary			\$115,297			\$115,720			\$115,100			\$115,100
Average GS Salary			\$81,244			\$82,108			\$82,108			\$82,108
Average GS Grade			11.73			11.79			11.82			11.82

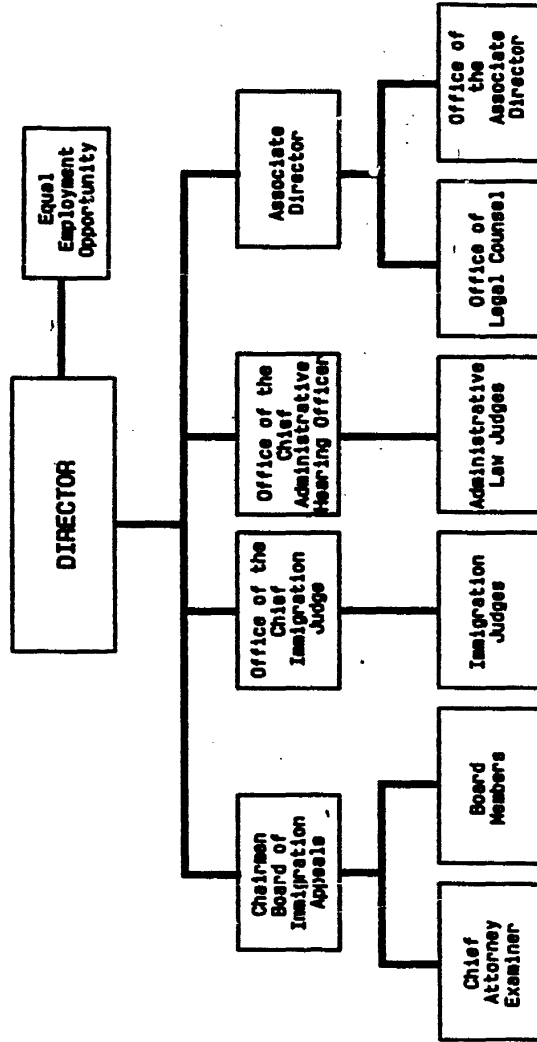
OFFICE OF THE INSPECTOR GENERAL
Subsides and Expenses
Summary of Requirements by Grade and Object Class
(\$ 000s)

Object Class	1988 Actual		1989 Estimate		1987 Request		Increase/Decrease	
	Wyn	Amount	Wyn	Amount	Wyn	Amount	Wyn	Amount
11.1 Total workyears & personnel compensation.....	250	\$11,055	251	\$11,035	257	\$22,225	26	\$11,190
11.2 Other than full-time permanent.....	4	214	4	226	4	226	--	--
11.3 Other personnel compensation.....	17	1,865	26	1,935	51	2,109	34	1,174
11.4 Special personal services payments.....	31	31	31	31	31	31	--	--
Total.....	310	12,051	353	12,765	422	\$24,702	26	\$12,651
Reimbursable workyears:								
Full-time permanent.....	[78]		[68]		[118]		[40]	
Other Object Classes:								
12.0 Personnel benefits.....	3,098		3,098		6,195		3,097	
12.1 Benefits to former personnel.....	343		1,056		71		--	
21.0 Travel and transportation of persons.....	79		45		305		226	
21.1 GSA rent.....	3,098		3,108		4,295		1,187	
21.2 Other rent.....	33		25		31		6	
21.3 Comm., util., & other misc. charges.....	651		695		611		184	
24.0 Printing and reproduction.....	40		52		58		8	
25.1 Advisory and assistance services.....	--		--		--		--	
25.2 Other services.....	747		782		12,246		11,459	
25.3 Purchase of goods & services from Gov't accounts.....	428		325		325		--	
25.7 Operations & maintenance of equipment.....	26		26		26		--	
26.0 Supplies and materials.....	217		116		242		125	
31.0 Equipment.....	567		47		485		418	
42.0 Claims & indemnities.....	25		20		20		--	
Total obligations.....	30,172		29,980		51,946		21,774	
Relation of Obligations to Outlays:								
Total obligations.....	30,172		29,980		51,946		21,774	
Obligated balance, start of year.....	208		1,852		1,854		1,646	
Obligated balance, end of year.....	(1,646)		(1,852)		(5,117)		(3,265)	
Outlays.....	28,428		28,048		50,089		21,661	

Department of Justice
Administrative Review and Appeals
Estimates for Fiscal Year 1997
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EXECUTIVE OFFICE FOR IMMIGRATION REVIEW



Approved: _____ Date: 05/17/95

JANET RENO
Attorney General

The Office of the Patent Attorney (OPA) receives, investigates, and considers petitions for all forms of OPA assistance. The OPA also manages the principal liaison with the general public in customary matters. The OPA is responsible for the dissemination of information regarding the Department's Executive Secretariat and the White House. The OPA request includes an increase for the modernization of its computer system.

**Administrative Review and Appeals
Justification of Proposed Changes in Appropriation Language**

The 1997 budget estimates include changes in the appropriation language listed and explained below. New language is underscored and deleted matter is enclosed in brackets.

Administrative Review and Appeals

For expenses necessary for the administration of pardon and
clemency petitions and immigration related activities

873.451.099.

Note: A regular 1996 appropriation for this account had not been enacted at the time this budget was prepared. The 1996 amount included in this budget are based on the levels provided in three continuing resolutions: P.L. 104-91, P.L. 104-92, and P.L. 104-99.

Administrative Services and Support
 Activities and Expenses
 Comparison of 1996 Changes
 (Dollars in Thousands)

	1996 President's Budget Request			1996 Appropriation Available		
	En	XX	Actual	En	XX	Actual
1. Executive Office for Immigration Review	44	14	19,772	44	14	19,772
2. Office of the Public Attorney	12	14	1,114	12	14	1,114
Total	418	30	20,886	418	30	20,886

Administrative Review and Appeals
 Expedited Review
 Summary of Requirements
 (Values in Thousands)

	1995 Actual		1996 Budget		1997 Budget		1998 Budget	
	Est	NY	Est	NY	Est	NY	Est	NY
Collection to Service	-	-	-	-	-	-	-	-
Investigation and Identification Service	-	-	1,200	-	1,200	-	1,200	-
Refugee Resettlement	-	-	1,200	-	1,200	-	1,200	-
Collection to Service	-	-	-	-	-	-	-	-
Executive Order for Immigration Review	-	-	1,200	-	1,200	-	1,200	-
Total	-	-	1,200	-	1,200	-	1,200	-

The Executive Order for Immigration Review provided \$1,200,000 in 1995 and will provide \$1,200,000 in both 1996 and 1997 for costs associated with interpretation and transcription services, very elements of the immigration application process.

Administration Review and Appeals
 Statistics and Research
 Program Performance Information
 Government Performance and Results Act Requirements
 Executive Office for Immigration Review

MISSION: The Attorney General is charged with the administration and enforcement of the Immigration and Nationality Act of 1952 and all other laws relating to the Immigration and naturalization of aliens, including the Immigration Reform and Control Act of 1986, the Immigration Act of 1990 and the Violent Crime Control and Law Enforcement Act of 1994. The Attorney General has delegated certain aspects of her authority to administer and interpret the Immigration laws to the Executive Office for Immigration Review (EOIR). EOIR's mission is to provide a uniform interpretation and application of Immigration law, ensuring fair treatment for all parties involved.

CONGRESSIONAL GOALS:

1. To expedite all Immigration cases for which EOIR is responsible, including cases involving detained aliens, criminal aliens and aliens seeking asylum or form of relief from deportation or expulsion, while ensuring the standards of due process and fair treatment for all parties involved.
2. To fully implement the case processing and adjudication provisions of the Comprehensive Asylum Reform Initiative, rendering Immigration Judge decisions in all new asylum cases within 180 days of the date of filing.
3. To fully implement the case processing goals of the Expedited Deportation of Criminal Aliens Initiative, rendering decisions in all criminal alien cases prior to each alien's release from incarceration.
4. To increase productivity by streamlining procedures and implementing management improvements.

**Administrative Review and Appeals
Division and Branches
Justification of Program and Performance
(Polizia in thousands)**

	1996	1997	1998	1999
1996 Appropriation Anticipated:	404	379	409	437,472
1997 Base	404	409	409	52,508
1997 Estimate	404	409	409	52,508
1998 Estimate	404	409	409	52,508
1999 Estimate	404	409	409	52,508
Increase/Decrease	0	0	0	0

Main Program Description: BOIR, headed by the Office of the Director, is responsible for the general supervision of the Board of Immigration Appeals, the Office of the Chief Immigration Judge and the Office of the Chief Administrative Hearing Officer. The Office of the Associate Director provides legal and administrative support to the Director and to the three adjudicative components. Operations include thirty-four field offices located nationwide.

The volume, nature and geographic concentration of Immigration Judge, Administrative Law Judge and appellate decisions is entirely dependent upon external factors, primarily the enforcement, investigation, adjudication and detention policies and actions of the Immigration and Naturalization Service (INS). In addition to the direct operations, BOIR receives resources from the Violent Crime Reduction Program (VCRP) which include direct operations, training, and support for the Immigration Judge and the Administrative Law Judge and appellate divisions. BOIR has prepared a separate budget submission for the Violent Crime Reduction Program appropriation.

The following provides more detailed information concerning the responsibilities and activities of BOIR's components:

Board of Immigration Appeals

Under the direction of the Chairman, the Board hears appeals from decisions of Immigration Judges and certain decisions of INS officers in a wide variety of proceedings in which the Government of the United States is one party and the other party is either an alien, a citizen or a business firm. The Board is authorized to decide the merits of the appeal, to grant or deny the appeal, to remand the case for further proceedings, to affirm the decision of the Immigration Judge, to set aside the decision of the Immigration Judge and to refer the case to the Immigration Judge for further proceedings. The majority of cases before the board involve appeals from orders of Immigration Judges entered in deportation and exclusion proceedings.

The appeals from the decisions of INS officers reviewed by the Board principally involve appeals from the Immigration Judge's decisions in exclusion proceedings. The Board also reviews appeals from the decisions of INS officers in certain administrative matters. The Board also reviews decisions of Immigration Judges, and INS and renders decisions on individual applications by employees of such organizations.

The Board's mission requires that national policies, as reflected in immigration laws, be identified, considered, and interpreted in the decisions rendered. The Board plays a major role in interpreting the immigration laws of this country. In the past, an area of law the courts have characterized as largely complex and increasing caseload has been a challenging task in a time of almost constant major legislative action in the immigration field. The Board has provided the principal interpretation of the Immigration Reform and Control Act of 1986 (IRCA), the Immigration and Naturalization Act of 1952 (INA), the Immigration and Naturalization Act of 1966 (INRA), and the Immigration Act of 1976 (IMIA). The Board has issued numerous decisions interpreting the most recent immigration laws. The Board has issued its decisions in the past, and it continues to do so. The Board has issued interpretive decisions, and then reinterpreted the Act as the laws have been redefined.

In response to the continuously increasing caseload associated with various Administration initiatives and legislative developments, the Board has initiated a variety of management and regulatory improvements designed to increase efficiency and productivity. The Board has increased the number of its members from five to twelve members, allowing the consideration of appeals using four panels. Further, Board attorneys staff has been restructured into four discrete teams, each assigned directly to a Board panel. These structural changes have improved caseload management, accountability and communication. In addition to management initiatives, regulations have been proposed concerning substantive and procedural changes in motions and appeal procedures, including time and number limitations on motions to reopen proceedings and on motions to reconsider decisions.

The Board continues to experience a dramatic rise in caseload, increasing from the 12,774 appeals received in 1992 to over 17,000 in 1993; this represents a 33% increase. Receipts are expected to increase nearly 100% from 1992 to 25,000 appeals in 1994. Most notably, the expansion of the enforcement programs, particularly as related to asylum reform, is expected to bring caseload to over 30,000 receipts by 1997. This estimate is made based on the assumption that the increasing number of decisions rendered by the Board will be appealed. The Board's caseload is expected to increase at a rate ten times greater than those relating to non-asylum cases.

Office of the Chief Immigration Judge

The Chief Immigration Judge provides overall program direction, articulates policy and establishes priorities for the Immigration Judges located in thirty-four field offices throughout the United States. Generally, Immigration Judges hold hearings to determine the status of an alien. Exclusion hearings are held when aliens are believed by the examining inspector at the port of entry to be inadmissible to the United States. The Immigration Judge (IJ) may admit or exclude an alien, or permit withdrawal of the application for admission. Deportation hearings are held in cases where an alien's status is challenged after entry into the United States. The IJ may suspend or revoke the alien's status, or may recommend deportation, such as voluntary departure, suspension of deportation, registry, adjustment of status, political asylum or waiver of deportability; or, if the Immigration Judge decides that deportability has not been established, terminate the proceedings. Board redetermination hearings are held when an alien in custody seeks release on his or her own recognizance or a reduction in the amount of the bond.

BOIA's responsibilities under Section 701 of INA require the coordination and conduct of civil deportation and exclusion proceedings to adjudicate the immigration status of alien inmates incarcerated by Federal, state and municipal correctional authorities as a result of convictions for criminal offenses. Through the Criminal Alien Institutional Hearing Program (CAIH), BOIA currently has programs coordinated and in place in all 35 states, Puerto Rico, the District of Columbia and selected municipalities and Bureau of Prisons facilities. The IJ is a key component of a variety of initiatives designed to expedite the removal of criminal aliens and involve close coordination with the FBI, DOJ and state and local correctional authorities.

A new initiative announced by the Attorney General in May, 1995, established a pilot program in which the INS identifies deportable criminal aliens prior to their release from the Los Angeles County Jail. The INS assumes custody of these aliens, issues charging documents and brings them before Immigration Judges for deportation hearings. BOIA has established special court sessions in Los Angeles which focus on the expedited processing of these cases. Following an evaluation of the pilot, this initiative, has become a permanent and highly successful program.

Another initiative which targets criminal aliens is the Port Court program, begun during 1995 and scheduled for expansion in 1996. Port Court is a joint effort by several agencies within the Department of Justice (U.S. Attorney's Office, BOIA, and the INS) to identify, detain, and expeditiously adjudicate cases and effect the removal of criminal aliens as they attempt to enter this country through the various ports of entry in Southern California. The objective of Port Court are twofold. First, by deterring entry of inadmissible criminal aliens, the program reduces the burden on the INS and the Department of Justice. Second, by removing criminal aliens from detention, additional bed space becomes available in prisons and detention facilities. This, in turn, allows the government to prosecute and incarcerate other criminals who must be removed from society. The success of this program has led to its expansion to include proceedings involving non-criminal as well as criminal aliens.

Asylum reform has streamlined the procedures for processing asylum cases, integrated INS and BOIA processes, and eliminated duplicative adjudication. Claims which are not approved by INS are automatically referred to BOIA's Immigration Judges who conduct full asylum adjudications in the context of deportation or exclusion hearings. The new asylum procedures, which became effective in January, 1995, include provisions limiting the INS approval of employment authorization to those aliens who have gained asylum or whose asylum claim is not subject to a final decision. This reform has the potential to speed decision making in the asylum reform is largely dependent upon the ability of Immigration Judges to make decisions within their timeframes. Absent that ability, the benefit of work authorization would accrue to thousands of aliens not otherwise entitled.

BOIA has coordinated the implementation of expanded programs with the INS to ensure the optimal placement of resources. The INS has been responsible for the retention of criminal aliens in the INS system. BOIA's system has been modified to facilitate the implementation of asylum reform by enhancing case tracking capabilities, e.g., the tracking of case processing times, and by allowing all local and regional INS asylum offices access to the system. Among other benefits, these improvements have allowed the introduction of two key case processing initiatives. First, INS personnel are able to access the AMIR system and schedule review for Immigration Judge hearings immediately with INS decisions to refer asylum claims to BOIA. Second, INS personnel are able to schedule and attend hearings with INS decisions to ascertain the status of cases in order to determine the eligibility of aliens for employment authorization.

BOIA has also been active in the regulatory area. BOIA published regulations which include provisions allowing the use of stipulated deportations, thereby enabling the expedited deportation of criminal aliens in applicable cases. Regulations have also been published which codify the practice of Immigration Judges conducting telephone hearings and the authority of Immigration Judges to hold video electronic hearings.

Administration initiatives continue to have a significant impact upon SOH's Immigration Judge program. During 1976, SOH received a total of 17,463 Immigration Judge cases. This figure included approximately 11,000 pre-refugee status cases, 2,000 cases involving political refugees, and 4,463 cases involving economic refugees. This compares with 1975's total of 16,000 cases. Data trends to 1976 indicate that the number of cases projected for 1977 will be 250,000 cases. This figure does not include the bulk of the projected 40,000 to 100,000 new post-refugee status cases that are expected annually. In addition, ISH has projected a doubling of criminal alien cases during 1986 and 1987. As a consequence, it is reasonable to project Immigration Judge workload approaching 300,000 cases annually by 1987.

[illegible]

Currently, SOA's ALJ program receives approximately 200 cases annually. As a result of the IRS Worksite Enforcement and Verification Initiative, planned for implementation during 1996, BOEA anticipates the receipt of an additional 400 employer sections and document fraud cases annually beginning in 1996.

INITIATIVES

BOIR	Item	FMA	FYS	Amount
Board of Immigration Appeals AOP Systems Modernization Coordination With INS 1997 Initiatives		94	27	92,970
		100	11	6,242
		105	45	3,175
		102	73	19,380
Proposed Actions				

These initiatives seek to address the following objectives:

1. To complete the expansion of the Board of Immigration Appeals tied directly to INS and Immigration Judge resource increases implemented in 1995 and 1996, thereby allowing the adjudication of a vastly growing appeals docket within targeted timeframes.
2. To replace BOIR's obsolete AOP system, thereby providing the support required to operate BOIR with state of the art equipment and to accommodate BOI expansion.
3. To support and respond to INS' proposed initiatives, all of which will generate thousands of additional Immigration Judge cases. Without adequate resources, the initiatives, the effectiveness of INS resources spent on Immigration enforcement will be diminished.

Program Changes:

Board of Immigration Appeals - This request includes a program change of 54 positions (including 40 staff attorneys), 27 workyears and \$5,070,000 required to complete BOIR program enhancements tied to 1995 and 1996 Administration Initiatives, principally the expedited processing of asylum and criminal alien cases. The request reflects the final stage of BOIR's plan to phase-in the Board expansion over three years (1995 - 1997). The plan was developed to reflect recognition that INS implementation of 1995/1996 initiatives would begin to generate increasing caseload at the Immigration Judge level, thereby increasing the need for the Board to generate increasing caseload at the final stage of the adjudication process. Method projections, i.e., the Board function representing the final stage of the adjudication process, Method projections, i.e., appeal receipts doubling to over 30,000 per year by 1997, suggest a larger enhancement than the program change reflected herein. However, BOIR is combining resource increases with a variety of management and case processing improvements designed to increase productivity. Absent the resources requested, the Board would be unable to process the significantly larger volume of appeals generated by many of the Administration's legislative and regulatory initiatives, thereby creating a bottleneck in the process and diminishing the achievement of the goals of immigration reform.

AOP Systems Modernization - BOIR is requesting \$6,542,000 to upgrade and modernize the Automated Nationwide System for Immigration Review (ANSIR). This request conforms with the Attorney General's priority to upgrade Department AOP functions, including the BOIR system. The system, first introduced ten years ago, is long past its effective lifecycle.

AMRIN provides BOIR with case management, office automation, and automated legal research capabilities. The services AMRIN provides are utilized nationwide by the entire staff of BOIR. Other agencies within the Department, such as the Immigration and Naturalization Service, also utilize AMRIN. AMRIN's capabilities are used in a timely and efficient manner and to produce accurate, up-to-date statistics and reports crucial to management decision-making.

In anticipation of the end of the system lifecycle, BOIR completed a Requirements Analysis of AMRIN in February, 1995. In summary, the analysis found that although AMRIN is providing the basic information needs and requirements of the system, the system may be obsolete and may require replacement. The analysis identified several factors: more efficient, reliable, and interoperable technology; and enhanced word processing and office automation capabilities. Additionally, the AMRIN system is based in a dated proprietary IBM VS environment which encompasses a complex combination of related hardware, software, telecommunications, network management, maintenance, training, and support services. This environment is becoming increasingly more difficult and costly to maintain, particularly because IBM is phasing itself out of the hardware business.

BOIR has also conducted an Analysis of Alternatives to AMRIN. The intent of this analysis was to explore the various alternatives to the existing system architecture which will facilitate BOIR's move into an Open Systems environment, while maintaining the integrity and flexibility of the customized COM case management software. The analysis clearly demonstrated that, in order to maintain the viability of AMRIN data, follow the Government's directive to move to Open Systems, meet new legislative and organizational requirements, and to meet the needs of the future, BOIR must transition to a new system architecture. This transition will require a complete re-engineering of the system, including a complete re-engineering of the data, and to take full advantage of new technologies, BOIR must transition AMRIN to a centralized mainframe-based solution.

Consistent with the 1997 Initiatives - INS has developed the following three new initiatives for 1997 which will have a direct impact upon BOIR programs: 1) The Southwest Border Initiative; 2) Reduction of Initiatives for Unauthorized Employment and Benefit; and 3) Reduction of Initiatives for Unauthorized Employment and Benefit. The Southwest Border Initiative will result in approximately 10,000 immigration judge detention cases per year resulting from these initiatives. In addition, the increased utilization of detention bedspace will add thousands of bond redetermination hearings and other matters to Immigration Judge workload. Finally, INS estimates a doubling of the referral of employer sanctions and document fraud cases annually to BOIR's AJs as a result of the unauthorized employment initiative. BOIR's portion of these initiatives includes 100 positions (including 35 Judges). Included in these resources are 40 positions (16 Immigration Judges) at workyears and \$1,397,000 in support of the Department's Southwest Border Initiative.

The Service is requesting additional special agents, immigration agents, border patrol agents, criminal investigators, attorneys, detention and deportation officers and support positions. The IIR initiatives include the following goals:

- To increase the identification and removal of greater numbers of deportable aliens.
- To expand the IIR to additional states.
- To expand the identification of criminal aliens incarcerated in local jails.
- To expand website enforcement and verification activities within the IIR to include the seven states currently identified. Increasing the identification of unauthorized immigrants who are in the United States and the identification of unauthorized workers and the identification of fraudulent document vendors.
- To expand detention facility bedspace utilization.
- To expand the Port Court program.

Critical to the success of these initiatives will be the ability of IIR to process the resulting workload in a timely fashion. IIR removal goals are tied to IIR's adjudication process. Similarly, the efficient utilization of enhanced detention facility capacity is dependent upon the expedited processing of Immigration Judge decisions to minimize the number of aliens IIR is able to process through the facilities.

**Administration Review and Appeals
Selection and Removal
Justification of Program and Performance
(Dollars in Thousands)**

	FY81	FY82	Amount
Office of the Pardon Attorney			
1984 Appropriation Anticipated	14	14	\$1,414
1987 Base	15	15	\$1,481
1987 Estimate	15	15	\$1,513
Increase/Decrease	0	0	\$ 31

Non-Program Description: Acting on delegated authority from the Attorney General, it is the responsibility of the Office of the Pardon Attorney to receive and review all executive clemency petitions, conduct the necessary investigations in conjunction with other Departmental and extra-Departmental components, and prepare the Attorney General's recommendations to the President.

Accomplishment and Workload:

Petitions received for pardons	1983	1984	1985	Projected
Petitions received for commutations	157	178	167	1987
	490	510	494	490

Program Changes:

	FY81	FY82	Amount
Office of the Pardon Attorney			
	\$14

This increase seeks to address the following objectives:

- 1) The objective of this increase is to enhance the efficiency of OPA through the migration of OPA into the Justice Consolidated Office Network.

A total of \$14,000, no positions and no FTE, are needed to allow OPA to modernize its computer system. This will allow OPA to respond effectively to its high volume and increasingly complex caseload, and maintain efficient communication with other Department components.

Performance Measurement Table: Presented by General Goal

General Goal 1: Asylum Reform: Streamline Asylum Processing to Expeditiously Complete All Asylum Cases, While Ensuring Fair Treatment to All Parties

Performance Indicator Information		Performance Targets and Actual Results				
Type of Indicator	Performance Indicators	1994 Actual	1995 Actual	1996 Target	1997 Target	1998 Target
Input	1. Expedited Asylum Cases Received	N/A	10,214	30,000	50,000	60,000
Output/Activity	2. Expedited Asylum Cases Completed	N/A	5,932	35,000	50,000	60,000
Intermediate Outcome	3. % of Expedited Asylum Cases Completed within 180 days from Initial Receipt at the Department of Justice	N/A	99%	99%	99%	99%
End Outcome	4. Number of Frivolous Claims Filed at Asylum Offices Decreases and Legitimate Claims are Expedited	N/A	*	*	*	*

* See INS Regarding Statistical Information Regarding End Outcomes

March 11, 1998

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<p>GENERAL GOAL: 1) Asylum Reform: Streamline asylum processing to expeditiously complete all asylum cases, while ensuring fair treatment to all parties.</p>	<p>A. Definitions of Terms or Explanations for Indicators: Expedited Asylum Cases include cases where the initial asylum application was filed and the charging document was issued post reform. This includes both affirmative claims where the application was originally filed with INS and referred to EOIR and defensive claims where the alien files an asylum application during the proceedings before the Immigration Judge. FY95 estimates represent a subset of the 54,000 total number of asylum cases received. Outyear inputs are based on INS estimates.</p>
<p>B. Factors Affecting FY 95 Performance: In FY 95 the INS asylum office referred a relatively small number of the cases originally projected. As the program reaches full implementation, significantly greater Immigration Judge workload is projected.</p>	<p>C. Factors Affecting FY 96 and FY 97 Targets: The volume, nature, and geographic concentration of EOIR's caseload is entirely dependent upon external factors; primarily the enforcement, adjudication, and detention policies and actions of the INS.</p>

Performance Measurement Table: Presented by General Goal

General Goal 2: Complete All Institutional Hearing Program (IHP) Cases Prior to the Alien's Earliest Possible Release Date While Ensuring Fair Treatment to All Parties

Performance Indicator Information		Performance Targets and Actual Results				
Type of Indicator	Performance Indicators	1994 Actual	1995 Actual	1996 Target	1997 Target	1998 Target
Input	1. IHP Cases Received	13,277	15,686	24,000	30,000	40,000
Output/Activity	2. IHP Cases Completed	11,123	15,690	24,000	30,000	40,000
Intermediate Outcome	3. % of IHP Cases Completed Prior to the Alien's Earliest Possible Release Date	91.5%	93.4%	95.0%	95.0%	95.0%
End Outcome	4. Fewer Crimes Committed by Aliens	*	*	*	*	*

* See INS Regarding Statistical Information Regarding End Outcomes

ORGANIZATIONAL GOAL 2:	Complete all Institutional Hearing Program Cases prior to the Alien's Earliest Possible Release Date, while ensuring due process.
A. Definition of Terms or Explanation for Indicators:	IHP Cases include all cases in which the charging document is served on the Immigration Court while the alien is incarcerated in a federal, state, or municipal facility as a result of a criminal conviction. Immigration Judges travel to these facilities to hear the cases prior to the alien's release from incarceration. This does not include aliens criminally charged who are either in INS custody or have been released from custody. Outyear input figures are based on INS estimates.
B. Factors Affecting FY 96 Program Performance:	The volume, nature, and geographic concentration of EOIR's IHP caseload is completely contingent on the allocation of INS investigative resources to identify and charge incarcerated aliens with immigration violations and serve the charging documents in EOIR.
C. Factors Affecting FY 96 and FY 97 Targets:	The volume, nature, and geographic concentration of EOIR's IHP caseload is completely contingent on the allocation of INS investigative resources to identify and charge incarcerated aliens with immigration violations and serve the charging documents in EOIR.

Performance Measurement Table: Presented by General Goal

General Goal 3: Handle All Other Immigration Cases For Which EOIR is Responsible in a Timely Manner, While Ensuring Fair Treatment to All Parties						
Performance Indicator Information		Performance Targets and Actual Results				
Type of Indicator	Performance Indicators	1994 Actual	1995 Actual	1996 Target	1997 Target	1998 Target
Input						
	1. Total Matters Receipts	177,894	229,070	275,000	300,000	325,000
Output/Activity	2. Total Matters Completed	158,752	202,963	275,000	300,000	325,000
Intermediate Outcome	3. Detained Cases: a. Without Applications for Relief, % Completed by IJs Within 30 Days b. With Applications for Relief % Completed by IJs Within 3 Months c. Appeals % Completed by BIA Within 2 Months of Receipt at BIA 4. Non-Detained Cases: a. % Having an Initial Hearing Within 3 Months of Receipt b. % Completed Within 8 Months of the Initial Hearing	94% 58% 80%	91% 51% 85%	92% 55% 85%	95% 60% 89%	95% 65% 91%
End Outcome	5. Cases are adjudicated timely, aliens ordered deported are removed timely, thus discouraging illegal immigration	68% 83%	57% 81%	60% 84%	70% 85%	70% 85%
		*	*	*	*	*

* See INS Regarding Statistical Information Regarding End Outcomes

<p>GENERAL GOAL 3: Handle all other immigration cases for which EOIR is responsible in a timely manner, while ensuring fair treatment for all parties.</p>	<p>A. Definitions of Indicators: Indicators 1 and 2 reflect all cases, appeals, and related matters received and completed by the Board, the Immigration Judges, and the Administrative Law Judges. Regarding Indicators 3A - C, all deportation cases require a finding by the Judge whether or not an alien is deportable as charged by INS. In many instances, once a determination of deportability has been made, the alien files an application for relief from deportation such as asylum, adjustment of status or suspension of deportation. These cases generally take longer to complete and require a separate hearing on the merits of the application. Therefore, the timeline goals are set based on whether or not an application for relief has been filed.</p>
<p>B. Factors Affecting FY 95 Performance: The volume, nature, and geographic concentration of EOIR's caseload is entirely dependent upon external factors; primarily the enforcement, adjudication, and detention policies and actions of the INS.</p>	<p>C. Factors Affecting FY 96 and FY 97 Targets: The volume, nature, and geographic concentration of EOIR's caseload is entirely dependent upon external factors; primarily the enforcement, adjudication, and detention policies and actions of the INS.</p>

Administrative Review and Approval
 Review and Approval
 Financial Impact - Program Change
 (Columns in Thousands)

Item	FIA		OCI		OCAHO		ADP		Ofc. of the Federal Administration		TOTAL	
	Pos.	Amount	Pos.	Amount	Pos.	Amount	Pos.	Amount	Pos.	Amount	Pos.	Amount
Grants												
AL-3					2	234					2	234
OCOM-15			34	3332							74	6362
OS-14	48	3000									0	0
OS-12											0	0
OS-11			34	1292	2	76					36	1368
OS-9											0	0
OS-7	14	342	36	936							50	1278
Total Projects & Admin. Costs	64	3392	74	5560	2	150					140	9002
Other Personnel Compensation	-27	-1094	-48	-2700	-2	-112					-77	-4806
Total Projects and Personnel Compensation	37	2298	26	2860	0	38					63	4196
Personnel Benefits												
Tenel & Transportation												
OCIA and												
Comms, utilities, and other charges												
Filing												
Other services												
Supplies and materials												
Equipment												
Total program expenses & obligations change requested, 1997	37	2298	44	2856	2	308		650		34	73	3032

Administrative Review and Appeals
 Services and Expenses
 1997 Priority Rankings

BASE PROGRAM		PROGRAM INCREASES	
Program	Ranking	Program	Ranking
Executive Office for Immigration Review	1	Expansion of the BIA	1
Office of the Practice Attorney	2	ADP Systems Modernization	2
		Coordination with INS 1997 Initiatives	3

**Administrative Review and Appeals
Schedule and Expenses
Detail of Permanent Positions by Category
Fiscal Years 1995 - 1997**

Category	1995		1996		1997	
	Authorized	Actual	Authorized	Actual	Authorized	Actual
Attorney (60)	196		143		217	
Paralegal (10)	7		3		3	
Other Legal Related (100-199)	143		143		143	
Personnel (100-199)	111		143		143	
General Administration and Clerical (200-299)	77		48		94	
Accounting and Budget (300-399)	6		6		6	
Information and Tech Group (400-499)	6		6		6	
Supply Group (500-599)	6		6		6	
Other Miscellaneous (600-699)	6		6		6	
Total	567		367		567	
U.S. Marshals	34		34		34	
U.S. Probation	34		34		34	
U.S. Parole	34		34		34	
U.S. Prison	34		34		34	
U.S. Juvenile	34		34		34	
U.S. Adult	34		34		34	
U.S. Child	34		34		34	
U.S. Family	34		34		34	
U.S. Social	34		34		34	
U.S. Health	34		34		34	
U.S. Education	34		34		34	
U.S. Labor	34		34		34	
U.S. Agriculture	34		34		34	
U.S. Commerce	34		34		34	
U.S. Energy	34		34		34	
U.S. Environment	34		34		34	
U.S. Finance	34		34		34	
U.S. Food	34		34		34	
U.S. Housing	34		34		34	
U.S. Industry	34		34		34	
U.S. International	34		34		34	
U.S. Law	34		34		34	
U.S. Medicine	34		34		34	
U.S. National	34		34		34	
U.S. Nuclear	34		34		34	
U.S. Postal	34		34		34	
U.S. Science	34		34		34	
U.S. Security	34		34		34	
U.S. State	34		34		34	
U.S. Transportation	34		34		34	
U.S. Veterans	34		34		34	
U.S. War	34		34		34	
U.S. Welfare	34		34		34	
U.S. Women	34		34		34	
U.S. Youth	34		34		34	
U.S. Zoning	34		34		34	

The total Attorney figure of 217 includes 196 Attorneys and 21 Law Clerks, where an Attorney is the primary of Attorney and Support Positions. The total for U.S. is 196 and for Law Clerks is 21. Positions are not included in Other Legal Related.

Administrative Review and Appeals
 Scholarships and Expenses
 Summary of Change
 (Dollars in thousands)

	Fiscal Year -			
	1986	1987	1988	Amount
	01	02	03	
1986 Conference Allowance				
1986 appropriation anticipated				
Adjustments to Base:				
Increases:				
1987 Pay Rates				832
Amortization of 1986 Locality Pay				150
Amortization of 1986 Pay Rates				286
Value-Added Increase				41
Amortization of 1986 Positions				30
GSA Rate				993
General Pricing Level Adjustments				131
Total, Increases				1,493
Decreases:				
Mad Management Transfer				(15)
Total, Decreases				(15)
Other Base Increases:				
Revisions to Base				9,000
Other Revisions Adjustments				27
1987 Base	419	424		53,799
Program Change	143	75		19,652
1987 Estimate	562	499		73,451

Administrative Review and Appeals
Savings and Expenses
Justification of Adjustments to Base
(Dollars in Thousands)

Est	Work - YEARS	Amount
-	-	9,000

Adjustments to base:

1. Restoration to base:
The Executive Office for Immigration Review (EOIR) is seeking a \$9,000,000 restoration to base, required to fund authorized PTE levels. Almost the receipt of this critical funding, EOIR will be forced to reduce its program by fully 100 FTE, an action which would have a serious detrimental effect upon the Admisi- service's immigration initiatives particularly asylum reform and the expedited processing of criminal alien cases.
The background and growing inhibition is due primarily to expenditures related to two key contract functions for which EOIR has never received permanent funding 1) a nationwide contract which provides court interpreter services, involving over 100 languages and dialects, to support immigration proceedings for non-English speaking alien respondents; and 2) a nationwide contract which provides for the transcription of immigration court proceedings which involve cases appealed to the Board of Immigration Appeals. These contracts are indispensable components of the hearing and appeals process and, as such, involve mandatory expenditures. Expenditures to date in 1995 are projected to exceed \$9 million.

Increases				
1. 1997 Pay Rate				
This request provides for the proposed 3.1 percent pay rate to be effective in January of 1997 and is consistent with Administrative policy included in the Mid - Season Review revised economic assumptions, June 11, 1995. The amount requested, \$372, represents the pay amount for three-quarters of the fiscal year plus appropriate benefits (\$382 for pay and \$250 benefits = \$632)				
	-	-	-	832
2. Assumptions of 1996 Locality Pay				
This adjustment represents the locality pay increase stipulated to be effective in January 1996. The 1996 increase are calculated at the rate approved in 1995, for the full fiscal year.				
	-	-	-	158
3. Assumptions of 1996 Pay Rate				
This pay assumption represents the (quarter amount (October through December) of the anticipated 1996 pay increase of 2.4 percent estimated to be effective January 1996, plus appropriate personnel benefits and the additional amount required above the 2.4 percent originally requested for the three-quarters of the year (\$200 for pay and \$68 for benefits).				
	-	-	-	268
4. Within - grade increase				
This request provides for the expected increase in costs of within - grade increase. This increase is based on a scenario, dynamic model of the Department's employee population which includes assumptions such as anticipated pay rates, adjustments to include three-year start/interim rates, and career ladder award to reflect promotion policy for each organization. The request includes \$281 for pay and \$120 for benefits.				
	-	-	-	401
5. Other Resource Alignment				
This resource alignment converts an attorney from part-time to full-time.				
	1	1	1	27

Decreases

1. Mail Management Transfer		(U)
Total decreases	1	31
Total adjustments to base	1	31
		14,000

[illegible]

Net Job - base personnel	306	24,010	337	14,596	513	24,895	136	11,687
Other Job personnel								
Per - base personnel	9	361	5	123	8	236	9	113
Temporary employment	48	1,413	48	491	48	940	9	431
Other personnel compensation								
Overhead	10	348	19	133	10	293	0	142
Total, net direct and personal compensation	373	26,062	413	15,364	281	29,777	136	14,313
Average BS Salary		\$11,176		\$11,608		\$12,846		
Average OCOM Salary		\$4,687		\$4,539		\$5,169		
Average OCOM Credit		16.36		16.49		16.73		

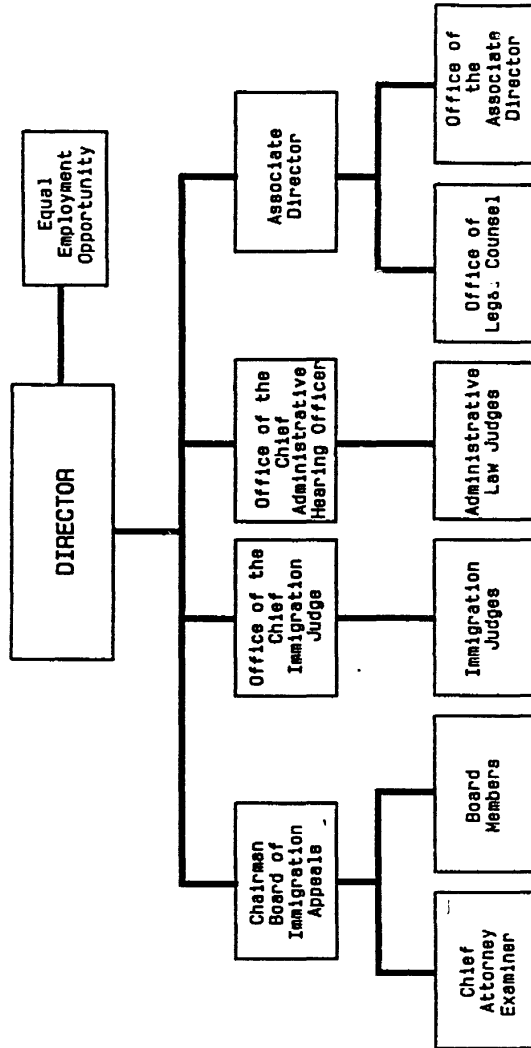
Administration Services and Approach
 Services and expenses
 Summary of Expenditures by Object and Object Class
 (Dollar in thousands)

Object Class	1951 Actual			1951 Budget			1952 Budget			1953 Budget		
	Plan	Actual	Var.	Plan	Actual	Var.	Plan	Actual	Var.	Plan	Actual	Var.
11.1 F&B - base personnel	346	346,000	0	297	314,500	16,500	313	313,000	0	313	313,000	0
11.2 Other base staff - base personnel	27	1,000	0	26	915	85	26	1,170	85	26	1,170	85
11.3 Other personnel expenditures	0	240	240	0	150	150	0	250	250	0	250	250
11.4 Total personnel expenditures	373	347,000	0	323	315,465	31,535	339	314,220	0	339	314,220	0
12. Personnel benefits		6,100			4,300			12,300			12,300	
13. Benefits for former personnel		25			0			0			0	
21. Travel and transportation of personnel		1,500			1,100			3,400			1,600	
22. Transportation of design		100			112			370			400	
23.1 O&A cost		4,970			6,122			7,000			5,900	
23.2 Recruit payments to others		0			0			0			0	
23.3 Communications, utilities and subscriptions		1,777			740			1,400			600	
24. Printing and reproduction		240			75			470			200	
25. Other services		2,300			7,000			14,370			4,000	
26. Supplies and materials		600			370			1,000			700	
31. Equipment		30			3,547			1,300			3,440	
42. Investment costs		0			0			0			0	
Total obligations		49,000			37,872			71,000			34,000	
Unobligated balance, start of year		0			0			0			0	
Unobligated balance, end of year		0			0			0			0	
Total expenditures		0			0			0			0	
Balance of Obligations to Obligate		49,000			37,872			71,000			34,000	
Total obligations		0			1,000			1,000			1,000	
Obligations balance, start of year		(1,200)			(1,000)			(1,000)			(1,000)	
Obligations balance, end of year		48,800			37,872			70,000			33,000	

Department of Justice
Violent Crime Reduction Program
Administrative Review and Appeals
Estimated for Fiscal Year 1997
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EXECUTIVE OFFICE FOR IMMIGRATION REVIEW



Approved: *Janet Reno* Date: 05/17/95
 JANET RENO
 Attorney General

**Violent Crime Reduction Program
Administrative Review and Appeals
Summary Statement
Fiscal Year 1997**

The Violent Crime Reduction Program (VCRP)/Administrative Review and Appeals appropriation is requesting a total of \$52,847,000, \$15 permanent positions and 127 workyears. This request represents a 100% increase over the \$44,300,000 appropriated in FY 1996. The increase is due to the increase in the number of cases filed in this request.

Executive Office for Immigration Review

The Executive Office for Immigration Review (EOIR) is headed by the Office of the Director and is responsible for the general supervision of the Board of Immigration Appeals, the Office of the Chief Immigration Judge, and the Office of the Chief Administrative Hearing Officer. The Board of Immigration Appeals adjudicates appeals from decisions of Immigration Judges and certain officials of the Immigration and Naturalization Service (INS) in a wide variety of immigration proceedings. The Office of the Chief Immigration Judge supervises the operations of the Immigration Courts in thirty-four field offices nationwide. Generally, Immigration Judges hold hearings to establish the immigration status of aliens, including criminal aliens and those seeking asylum as a form of relief from deportation.

EOIR receives resources from the VCRP in support of key immigration initiatives, including Comprehensive Asylum Reform and the Expedited Deportation of Criminal Aliens.

Violent Crime Reduction Programs

Administrative Review and Appeals

Justification of Proposed Changes in Appropriation Language

The 1997 budget estimates include changes in the appropriation language listed and explained below. New language is underscored and deleted matter is enclosed in brackets.

Administrative Review and Appeals

For expenses necessary for the administration of

immigration related activities \$32,847,000, to remain available

until expended.

Note: A regular 1996 appropriation for this account had not been enacted at the time this budget was prepared. The 1996 amounts included in this budget are based on the levels provided in three continuing resolutions: P.L. 104-91, P.L. 104-92, and P.L. 104-93.

1. Executive Office for Investigation Review Violent Crime Reduction Program	Violent Crime Reduction Program Administrative Services and Appeals Schedules and Expenses Committee of 1994 Change (Orders in Thousands)			Reprogramming			1994 Appropriation Anticipated		
	1994 President's Budget Request			Fm			Fm		
	XX	XX	000000	XX	XX	000000	XX	XX	000000
	514	483	47,700	-	-	-	514	483	47,700

**Violent Crime Reduction Program
Administrative Review and Appeals
Initiative and Results
Program Performance and Results Act Requirements**

MISSION: The Attorney General is charged with the administration and enforcement of the Immigration and Nationality Act of 1952 and all other laws relating to the immigration and naturalization of aliens, including the Immigration Reform and Control Act of 1986, the Immigration Act of 1990 and the Violent Crime Control and Law Enforcement Act of 1994. The Attorney General has delegated certain aspects of her authority to administer and interpret the immigration laws to the Executive Office for Immigration Review (EOIR). Generally, EOIR's mission is to provide a uniform interpretation and application of immigration law, ensuring fair treatment for all parties involved.

COMPARISONAL GOALS:

1. To expedite all immigration cases for which EOIR is responsible, including cases involving detained aliens, criminal aliens and aliens seeking asylum as a form of relief from deportation or exclusion, while ensuring the standards of due process and fair treatment for all parties involved.
2. To fully implement the case processing and adjudication provisions of the Comprehensive Asylum Reform Initiative, rendering Immigration Judge decisions in all new asylum cases within 180 days of the date of filing.
3. To fully implement the case processing goals of the Expedited Deportation of Criminal Aliens Initiative, rendering decisions in all criminal alien cases prior to each alien's release from incarceration.
4. To increase productivity by streamlining procedures and implementing management improvements.

**Violent Crime Reduction Program
Administrative Review and Appeals
Salaries and Expenses
Justification of Program and Performance
(Dollars in Thousands)**

	Perm. Est.	FTE	Amount
1986 Appropriation Anticipated	314	483	\$47,780
1987 Estimate	314	527	\$2,847
1987 Estimate	314	577	\$2,847

ACTIVITY: EOIR

Base Program Description: EOIR, headed by the Office of the Director, is responsible for the general supervision of the Board of Immigration Appeals, the Office of the Chief Immigration Judge and the Office of the Chief Administrative Hearing Officer. The Office of the Associate Director provides legal and administrative support to the three adjudicative components. Operations include thirty-four field offices located nationwide.

The volume, nature and geographic concentration of Immigration Judge, Administrative Law Judge and appellate caseload is entirely dependent upon external factors, primarily the enforcement, investigation, adjudication and detention policies and actions of the Immigration and Naturalization Service (INS). In addition to the external factors, EOIR's caseload is dependent upon the INS's policies and actions. The volume of the support for programs related to comprehensive asylum reform and the expedited deportation of criminal aliens. The VCR supports portions of EOIR's appellate (Board of Immigration Appeals) and Immigration Judge functions.

The following provides more detailed information concerning the responsibilities and activities of EOIR's components supported by the VCR:

Board of Immigration Appeals

Under the direction of the Chairman, the Board hears appeals from decisions of Immigration Judges and certain decisions of INS officers in a wide variety of proceedings in which the Government of the United States is a party. The Board also hears appeals from decisions of the Attorney General and provides a national uniform application of the Immigration laws, both in terms of the interpretation of the law and the exercise of the significant discretion vested in the Attorney General. The majority of cases before the Board involve appeals from orders of Immigration Judges entered in deportation and exclusion proceedings.

The appeals from the decisions of INS officers reviewed by the Board principally involve appeals from final visa petition denials and decisions involving administrative fines. The Board also renders decisions on applications by organizations that have requested permission to practice before the Board, the Immigration Judges, and INS and renders decisions on individual applications by employees of such organizations.

1. Board's mission requires that national policies, as reflected in immigration laws, be identified, considered, and inserted into its decisional process. The Board plays a major role in interpreting the legislative intent of this Congress and in determining the manner in which the laws are to be applied. Processing increasing caseload has been a challenging task in a time of almost constant major legislative action in the immigration field. The Board has provided the principal interpretation of the Immigration Reform and Control Act of 1986 (IRCA), the Immigration Amendments of 1988, the Anti-Drug Abuse Act of 1988, and the Immigration Act of 1990 (IMACT 90). Two of these laws (IRCA and IMACT 90) represented the most fundamental restructuring of the Immigration and Nationality Act since its enactment in 1952 and have provided a new framework of immigration law. The Board has issued interpretive decisions, and then reinterpreted the Act as the laws have been redrafted.

In response to the continuously increasing caseload associated with various Administration initiatives and legislative developments, the Board has initiated a variety of management and regulatory improvements designed to increase efficiency and productivity. A key initiative has been the expansion of the Board from 1000 to 1200 members, and the restructuring of the Board into four discrete teams, each assigned directly to a Board panel. These structural changes have improved caseload management, accountability and communication. In addition to management initiatives, regulations have been proposed concerning substantive and procedural changes in motion and appeal practices, including time and number limitations on motions to reopen proceedings and on motions to reconsider decisions.

The Board continues to experience a dramatic rise in caseload, increasing from the 12,774 appeals received in 1992 to over 17,000 in 1995; this represents a 33% increase. Receipts are expected to increase nearly 100% from 1992 to 25,000 appeals in 1996. Most notably, the expansion of INS enforcement programs, particularly as related to asylum reform, is expected to bring Board caseload to over 30,000 receipts by 1997. This estimate is made based on the assumption that, the increasing number of decisions rendered by the Board will be subject to appeal. The Board's caseload has increased significantly in the past few years, and trends show decisions involving asylum are appealed to the Board at a rate ten times greater than those relating to non-asylum cases.

Office of the Chief Immigration Judge

The Chief Immigration Judge provides overall program direction, articulates policy and establishes priorities for the Immigration Judges located in thirty-four field offices throughout the United States. Generally, Immigration Judges hold hearings to determine the status of an alien. Exclusion hearings are held when aliens are believed by the examining inspector at the port of entry to be inadmissible to the United States. The Immigration Judge's order may admit or exclude an alien, or permit withdrawal of the application for admission. Deportation hearings are held in cases where an alien's status is challenged after entry into the United States. The Immigration Judge's order may suspend or terminate the alien's right to remain in the United States, or may grant asylum or waiver of deportability; or, if the Immigration Judge decides that deportability has not been established, terminate the proceedings. Bond redetermination hearings are held when an alien in custody seeks release on his or her own recognizance or a reduction in the amount of the bond.

BOIA's responsibilities under Section 701 of IRCA require the coordination and conduct of civil deportation and exclusion proceedings to adjudicate the immigration status of alien inmates incarcerated by Federal, state and municipal correctional authorities as a result of convictions for criminal offenses. Through the Criminal Alien Institutional Hearing Program (CAIHP), BOIA currently has programs coordinated and in place in all 50 states, Puerto Rico, the District of Columbia and selected municipalities and Bureau of Prisons facilities. The CAIHP is a key component of a variety of initiatives designed to expedite the removal of criminal aliens and involves close consultation with the INS, DOJ and state and local correctional authorities.

A new initiative announced by the Attorney General in May, 1995, established a pilot program in which the INS identifies deportable criminal aliens prior to their release from the Los Angeles County Jail. The INS assumes custody of these aliens, issues charging documents and brings them before Immigration Judges for deportation hearings. EOIR has established special court sessions in Los Angeles which focus on the expedited processing of these cases. Following an evaluation of the pilot, this initiative, has become a permanent and highly successful program.

Another initiative which targets criminal aliens is the Port Court program, begun during 1993 and scheduled for expansion in 1996. Port Court is a joint effort by several agencies within the Department of Justice (U.S. Attorney's Office, EOIR, and the INS) to identify, detain, and expeditiously adjudicate cases and effect the removal of criminal aliens as they attempt to enter the country through the various ports of entry in Southern California. Cases subject to Port Court are twofold. First, by entering orders of exclusion against criminal aliens, the government avoids the expense of detaining them in their country of nationality. This avoids additional detention costs that would otherwise be borne by U.S. taxpayers. Secondly, by removing criminal aliens from detention, additional bed space becomes available in prisons and detention facilities. This, in turn, allows the government to continue prosecution and incarcerate other criminals who must be removed from society. The success of this program has led to its expansion to include proceedings involving non-criminal as well as criminal aliens.

Asylum reform has streamlined the procedures involved in processing asylum cases. Integrated INS and EOIR processes, and eliminated duplicative adjudications. Claims which are not approved by INS are automatically referred to EOIR's Immigration Judges who conduct full asylum adjudications in the context of deportation or exclusion hearings. The new asylum procedures, which became effective in January, 1995, include provisions limiting the INS approval of employment authorization to those aliens who have gained asylum or whose asylum claim has been approved by an Immigration Judge. This reform has the potential to reduce the backlog of asylum reform is largely dependent upon the ability of Immigration Judges to conduct the cases within the timeframes. Absent the ability, the benefit of work authorization would accrue to thousands of aliens not otherwise entitled.

EOIR has coordinated the implementation of expanded programs with the INS to ensure the optimal placement of resources based upon the volume and geographic concentration of asylum and criminal alien cases. This includes the expansion of a majority of field offices and the establishment of several new offices. EOIR's ADF system has been modified to facilitate the implementation of asylum reform by enhancing case tracking capabilities, e.g., the tracking of case processing times, and by allowing all local and regional INS asylum offices access to the system. Among other benefits, these improvements have allowed the introduction of two new procedures. First, EOIR has implemented a new procedure to access the ADFIR system and schedule cases for Immigration Judge hearings immediately upon their decision to accept the case. Second, EOIR and regional service centers are able to access the ADFIR database to ascertain the status of cases in order to determine the eligibility of aliens for employment authorization.

EOIR has also been active in the regulatory area. EOIR published regulations which include provisions regarding the use of video technology in conducting deportation hearings. EOIR has also published regulations applicable cases. Regulations have also been published which codify EOIR's policy regarding the use of video electronic hearings. EOIR has also been active in the regulatory area. EOIR published regulations which include provisions regarding the use of video technology in conducting deportation hearings. EOIR has also published regulations applicable cases. Regulations have also been published which codify EOIR's policy regarding the use of video electronic hearings.

Finally, in keeping with the customer service goals of the National Performance Review, NIN has established a National Case Review System (NCRS) to provide ready access to Immigration Court information such as hearing dates, times and locations, status of cases, and other information. The NCRS will provide information in English and Spanish, reduce the time required for the public to obtain information and schedules.

Administration initiatives continue to have a significant impact upon NIN's Immigration Judge program. During 1996, NIN received a total of 11,413 Immigration Judge cases. This figure included approximately 18,000 cases referred to NIN by the Department of State, and 1,413 cases referred to NIN by the Department of Justice. Data trends to date in 1996 indicate the receipt of over 210,000 cases that year. This figure does not include the bulk of the projected 40,000 to 100,000 new (post-reform) asylum cases expected annually. In addition, INS has projected a doubling of criminal alien cases during 1996 and 1997. As a consequence, it is reasonable to project Immigration Judge workload approaching 300,000 cases annually by 1997.

Performance Measurement Table: Presented by General Goal

General Goal 1: Asylum Reform: Streamline Asylum Processing to Expeditiously Complete All Asylum Cases, While Ensuring Fair Treatment to All Parties						
Performance Indicator Information		Performance Targets and Actual Results				
Type of Indicator	Performance Indicators	1994 Actual	1995 Actual	1996 Target	1997 Target	1998 Target
Input	1. Expedited Asylum Cases Received	N/A	10,234	30,000	50,000	60,000
Output/Activity	2. Expedited Asylum Cases Completed	N/A	5,932	35,000	50,000	60,000
Intermediate Outcome	3. % of Expedited Asylum Cases Completed within 180 days from Initial Receipt at the Department of Justice	N/A	99%	99%	99%	99%
End Outcome	4. Number of Frivolous Claims Filed at Asylum Offices Decreases and Legitimate Claims are Expedited	N/A	*	*	*	*

* See INS Regarding Statistical Information Regarding End Outcomes

March 11, 1998

Performance Measurement Table: Presented by General Goal

General Goal 2: Complete All Institutional Hearing Program (IHP) Cases Prior to the Alien's Earliest Possible Release Date While Ensuring Fair Treatment to All Parties							
Performance Indicator Information		Performance Targets and Actual Results					
Type of Indicator	Performance Indicators	1994 Actual	1995 Actual	1996 Target	1997 Target	1998 Target	
Input	1. IHP Cases Received	13,277	15,686	24,000	30,000	40,000	
Output/Activity	2. IHP Cases Completed	11,123	15,690	24,000	30,000	40,000	
Intermediate Outcome	3. % of IHP Cases Completed Prior to the Alien's Earliest Possible Release Date	91.5%	93.4%	95.0%	95.0%	95.0%	
End Outcome	4. Fewer Crimes Committed by Aliens	#	#	#	#	#	

* See INS Regarding Statistical Information Regarding End Outcomes

<p>GENERAL GOAL - II Asylum Reform: Streamline asylum processing to expeditiously complete all asylum cases, while ensuring fair treatment to all parties.</p>	<p>A. Definitions of Terms or Explanation for Indicators: Expedited Asylum Cases include cases where the initial asylum application was filed and the charging document was issued post reform. This includes both affirmative claims where the application was originally filed with INS and referred to EOIR and defensive claims where the alien files an asylum application during the proceedings before the Immigration Judge. FY95 estimates represent a subset of the 54,000 total number of asylum cases received. Outyear inputs are based on INS estimates.</p>
<p>B. Factors Affecting FY 95 Performance: In FY 95 the INS asylum office referred a relatively small number of the cases originally projected. As the program reaches full implementation, significantly greater Immigration Judge workload is projected.</p>	<p>C. Factors Affecting FY 96 and FY 97 Targets: The volume, nature, and geographic concentration of EOIR's caseload is entirely dependent upon external factors, primarily the enforcement, adjudication, and detention policies and actions of the INS.</p>

<p>GENERAL GOAL 2: Complete all Institutional Hearing Program Cases prior to the Alien's Earliest Possible Release Date, while ensuring due process.</p>	<p>A. Definitions of Terms or Explanations for Indicators: IHP Cases include all cases in which the charging document is served on the Immigration Court while the alien is incarcerated in a federal, state, or municipal facility as a result of a criminal conviction. Immigration Judges travel to these facilities to hear the cases prior to the alien's release from incarceration. This does not include aliens criminally charged who are either in INS custody or have been released from custody. Outyear input figures are based on INS estimates.</p>
<p>B. Factors Affecting FY 95 Program Performance: The volume, nature, and geographic concentration of EOIR's IHP caseload is completely contingent on the allocation of INS investigative resources to identify and charge incarcerated aliens with immigration violations and serve the charging documents in EOIR.</p>	<p>C. Factors Affecting FY 96 and FY 97 Targets: The volume, nature, and geographic concentration of EOIR's IHP caseload is completely contingent on the allocation of INS investigative resources to identify and charge incarcerated aliens with immigration violations and serve the charging documents in EOIR.</p>

Performance Measurement Table: Presented by General Goal

General Goal 3: Handle All Other Immigration Cases For Which EOIR is Responsible in a Timely Manner, While Ensuring Fair Treatment to All Parties						
Performance Indicator Information		Performance Targets and Actual Results				
Type of Indicator	Performance Indicators	1994 Actual	1995 Actual	1996 Target	1997 Target	1998 Target
Input	1. Total Matters Receipts	177,894	229,070	275,000	300,000	325,000
Output/Activity	2. Total Matters Completed	158,752	202,963	275,000	300,000	325,000
Intermediate Outcome	3. Detained Cases: a. Without Applications for Relief, % Completed by IJs Within 30 Days b. With Applications for Relief % Completed by IJs Within 3 Months c. Appeals % Completed by BIA Within 2 Months of Receipt at BIA 4. Non-Detained Cases: a. % Having an Initial Hearing Within 3 Months of Receipt b. % Completed Within 8 Months of the Initial Hearing	94% 58% 80%	91% 51% 85%	92% 55% 85%	95% 60% 89%	95% 65% 91%
End Outcome	5. Cases are adjudicated timely, aliens ordered deported are removed timely, thus discouraging illegal immigration	68% 83%	57% 81%	60% 84%	70% 85%	70% 85%

* See INS Regarding Statistical Information Regarding End Outcomes

GENERAL GOAL 3:	Handle all other immigration cases for which EOIR is responsible in a timely manner, while ensuring fair treatment for all parties.
A. Definitions of Indicators:	Indicators 1 and 2 reflect all cases, appeals, and related matters received and completed by the Board, the Immigration Judges, and the Administrative Law Judges. Regarding indicators 3A - C, all deportation cases require a finding by the Judge whether or not an alien is deportable as charged by INS. In many instances, once a determination of deportability has been made, the alien files an application for relief from deportation such as asylum, adjustment of status or suspension of deportation. These cases generally take longer to complete and require a separate hearing on the merits of the application. Therefore, the timeline goals are set based on whether or not an application for relief has been filed.
B. Factors Affecting FY 93 Performance:	The volume, nature, and geographic concentration of EOIR's caseload is entirely dependent upon external factors; primarily the enforcement, adjudication, and detention policies and actions of the INS.
C. Factors Affecting FY 96 and FY 97 Targets:	The volume, nature, and geographic concentration of EOIR's caseload is entirely dependent upon external factors; primarily the enforcement, adjudication, and detention policies and actions of the INS.

Violent Crime Reduction Program
Administrative Review and Appeals
Schedule and Expenses
1997 Priority Ranking

BASE PROGRAM

Program

Executive Office for Immigration Review

Rankings

1

Violent Crime Reduction Program
Administrative Review and Appeals
Salaries and Expenses
Detail of Permanent Positions by Category
Fiscal Year 1995 - 1997
(Dollars in Thousands)

Category	1995		1996		1997	
	Authorized	Total Authorized	Authorized	Total Authorized	Authorized	Total Authorized
Attorneys (00)	90	200		200	200	
Paralegal specialists (00)	0	0		0	0	
Other Legal Related (00-99)	29	46		46	46	
Personnel Management (200-299)	1	1		1	1	
Gen. Admin. Clerical and Office						
Services (300-399)	101	216		216	216	
Accounting and Budget (400-499)	0	0		0	0	
Information and Arts Group (500-599)	3	51		51	51	
Supply Group (600-699)	0	0		0	0	
Other Miscellaneous (701-799)	0	0		0	0	
Total	224	514		514	514	
Wages	55	118		118	118	
U.S. Field	169	396		396	396	
Total	224	514		514	514	

Victim Client Satisfaction Program
 Investigations Bureau and Appeals
 Division of Investigation
 Summary of Agency Performance and Requested Positions
 (October 1, 1997)

Appropriated Position	1996 Appropriation Available				1997 Requested				1997 Requested Limit			
	Agency Pos.	Agency FTE	Request Pos.	Request FTE	Agency Pos.	Agency FTE	Request Pos.	Request FTE	Agency Pos.	Agency FTE	Request Pos.	Request FTE
Division Unit												
Board of Investigation Appeals	21	48	42	77	13	13	0	0	21	21	42	42
Office of the Chief Investigator Judge	144	136	238	232	199	146	0	0	144	146	238	232
Office of the Chief Justice, Training Officer	0	0	0	0	0	0	0	0	0	0	0	0
Office of the Director	0	0	0	0	0	0	0	0	0	0	0	0
Total	265	184	314	309	314	159	0	0	265	184	314	309

Violent Crime Reduction Program
 Administrative Review and Appeals
 Subsidies and Expenses
 Summary of Change
 (Dollars in Thousands)

	Est.	Work Year	Amount
1996 Conference Agreement	514	483	47,789
1996 Appropriation Anticipated	514	483	47,789
Adjustments to base:			
Increase:			
1997 Pay Rates			346
Anticipation of 1996 Locality Pay			39
Anticipation of 1996 Pay Rates			136
Anticipation of 1996 positions		44	4,485
General Pricing Level Adjustment			178
Total, Increase	514	527	5,057
1997 base	514	527	52,847
1997 estimate	514	527	52,847

Violent Crime Reduction Program
Administrative Review and Appeals
Salaries and Expenses
Justification of Adjustments to Base
(Dollars in Thousands)

	Fiscal Year	Work- Year	Amount
Increases			
1. 1997 Pay Rule			346
<p>This request provides for the proposed 3.1 percent pay rate to be effective in January of 1997 and is consistent with Administrative Policy Index of the 1994-1995 Review revised contract assumptions. From 11, 1995, the current request of \$346, represents the pay increase for three-quarters of the fiscal year plus appropriate benefits (\$259 for pay and \$116 benefits = \$346)</p>			
2. Annualization of 1995 Locality Pay			90
<p>This adjustment represents the locality pay increase scheduled to be effective in January 1996. The 1996 increases are calculated at the rates approved in 1995, for the full fiscal year.</p>			
3. Annualization of 1996 Pay Rule			128
<p>This pay supplementation represents first quarter amounts (October through December) of the anticipated 1996 pay increase of 2.5 percent estimated to be effective January 1996, plus appropriate personnel benefits and the additional amount required above the 2.5 percent originally requested for the three-quarters of the year (98 for pay and \$30 for benefits).</p>			

4. Amortization of 1995 Positions		Approved 1995 Positions	Amortization Required	
Annual salary rate of				
60 approved positions		2,400	2,392	
Less: Loans		(1,380)	(1,380)	
Net Compensation		1,020	1,012	
Amortized employee benefits		840	839	
Other (none - previously)		3,622	3,622	
		5,590	4,683	
				120
5. Current Pricing Level (CPL) Adjustments				
This request applies OMB pricing guidance as of June 11, 1994 to selected expense categories. The increased costs identified result from applying a factor of 1.1 percent against those published rates when the price that the Government pays are not indexed against the market prices. Indexed by law or regulation. Currently, the factor is applied to supplies, materials, equipment, contracts with the private sector, pricing costs, transportation costs, and utilities.				
Total mandatory increases/decreases:			44	5,067
Total adjustments to base:		0	44	5,067

Violent Crime Reduction Program
Administrative Review and Appeals
Salaries and expenses
Summary of Replacements by Grade and Object Class
(Dollars in thousands)

	1995 Actual			1996 Estimate			1997 Request			Increase/Decrease		
	Pos. &	Yrs.	Amount	Pos. &	Yrs.	Amount	Pos. &	Yrs.	Amount	Pos. &	Yrs.	Amount
Grades and salary ranges												
SL-3, \$116,851 - \$113,800	7			10			10			0		
GS/GM-15, \$76,482 - \$95,514	65			164			164			0		
GS/GM-14, \$59,900 - \$81,197	4			5			5			0		
GS/GM-13, \$46,704 - \$66,711	15			24			24			0		
GS-12, \$42,441 - \$57,964	9			15			15			0		
GS-11, \$35,278 - \$48,211	20			72			72			0		
GS-10, \$32,562 - \$40,888	0			6			6			0		
GS-9, \$29,405 - \$39,458	17			29			29			0		
GS-8, \$26,622 - \$36,672	0			0			0			0		
GS-7, \$24,658 - \$32,571	8			62			62			0		
GS-6, \$21,632 - \$29,514	24			41			41			0		
GS-5, \$19,497 - \$26,588	28			46			46			0		
GS-4, \$17,546 - \$23,580	27			45			45			0		
GS-3, \$15,452 - \$20,545	0			0			0			0		
GS-2, \$14,161 - \$18,572	0			0			0			0		
Locality Pay			65			98			213			115
1996 Pay Rates						43			43			
1997 Pay Rates									353			353
Total, appropriated positions	224		\$9,553	314		\$23,641	314		\$71,607	0		\$1,164
Pay above stated annual rate	0		0	0		91	0		104	0		15
Lapses	(187)		(4,296)	(42)		(5,596)	2		(4,546)	44		(759)
Net savings due to lower pay scales for part of the year			(6)			(11)			(8)	0		(22)
Net full-time permanent	37		5,249	472		26,145	316		23,279	44		324
Other full-time permanent												
Part-time permanent	0		0	0		0	0		0	0		0
Temporary employment	11		400	11		400	11		400	0		0
Other personnel compensation												

Overhead	0	40	0	5,600	0	200	0	25,000	0	337	0	21,075	0	44	0	304
Total, Workyear & personal expenditures																
Average ED Salary				30				30				30				
Average ODCM Salary				\$48,295				\$44,717				\$52,425				
Average ODCM Costs				9.55				11.36				11.34				

**Violent Crime Reduction Program
Administrative Review and Appeals
Subgrantee and Expense
Summary of Requirements by Object and Object Class
(Dollars in thousands)**

Object Class	1999 Actuals		1998 Estimate		1997 Estimate		Increase/Decrease	
	WY99	Amount	WY98	Amount	WY97	Amount	WY99	Amount
11.1 Travel, uniforms and personnel compensation	37	\$5,349	472	\$28,145	516	\$23,779	44	\$3,134
11.2 Other than 11.1 - other personnel	11	400	11	400	11	400	0	0
11.3 Other personnel compensation	0	0	0	0	0	0	0	0
11.4 Special personnel services payments	0	0	0	0	0	0	0	0
Total	48	5,649	483	28,545	527	24,179	44	\$3,134
12 Personnel benefits		1,514		5,754		6,544		910
12.1 Benefits for former personnel		0		0		0		0
21 Travel and transportation of persons		648		2,867		3,226		359
22 Transportation of things		50		291		318		47
23.1 CIA rent		2,400		3,822		4,596		474
23.2 Rental payments to others		0		0		0		0
23.3 Communications, utilities and subscriptions		188		1,433		1,637		204
24 Printing and reproduction		55		299		369		70
25 Other services		5,875		11,467		12,658		591
26 Supplies and materials		249		956		1,076		128
31 Equipment		1,448		346		(178)		(742)
42 Insurance claims		0		0		0		0
Total obligations		17,400		47,780		52,847		5,047
Rebates of obligations to endorser								
Total obligations		17,400		47,780		52,847		5,047
Obligated balance, start-of-year		0		696		2,602		2,602
Obligated balance, end-of-year		(666)		(2,822)		(2,524)		(2,524)
Outlays		16,734		44,958		50,323		50,323

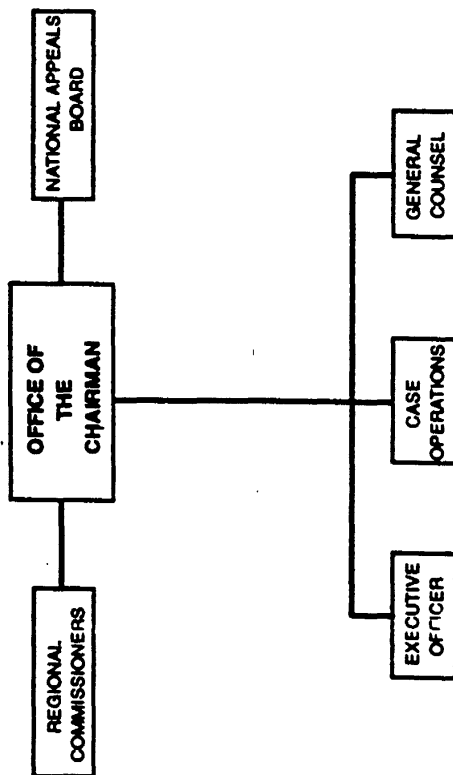
* Shows for comparability purposes. 1995 funding was provided in the CIA appropriation.

**Department of Justice
U.S. Parole Commission
Estimates for Fiscal Year 1967**

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UNITED STATES PAROLE COMMISSION



Approved: *Edward F. Reilly, Jr.*
 Edward F. Reilly, Jr.
 Chairman

Date: 20 Sept 1995

**U.S. Parole Commission
Salaries and Expenses
Summary Statement
Fiscal Year 1988**

The 1987 budget request for the United States Parole Commission is \$6,301,000, 43 permanent positions, and 63 workyears. The request includes a program decrease of 10 positions, 9 workyears and \$478,000 as part of the Commission's continuing phase-down of operations.

The 1987 budget proposes a continuation of the down-sizing reductions that have been accomplished over the past several years in anticipation of the termination of the Commission on November 1, 1997. Currently, the Commission is responsible for over 14,000 paroles and over 6,000 inmates who are eligible for parole. At the end of FY 1997, the Commission projects that there will be a parole caseload of 9,839 and an incarcerated caseload of 6,586. Although these numbers are steadily declining, substantial numbers will remain under the Commission's incarcerated caseload for the balance of this decade and beyond the year 2000. Much of the remaining caseload is comprised of parolees and inmates who were convicted of serious offenses and are serving long sentences. Many of these inmates have been heard by the Commission, and because of their poor parole prospects and/or the seriousness of their crimes, have been denied parole. Legislation passed by the Senate (S. 1507) in December 1985 and now under consideration in the House of Representatives would provide a five-year extension for the Commission in line of transferring the paroling function to the Federal Judiciary.

U.S. Parole Commission
Salaries and Expenses
Justification of Proposed Changes in Appropriation Language

For necessary expenses of the United States Parole Commission as authorized by law, \$5,201,000.
(18 U.S.C. 4202-04, 4212, 4255, 5006, 5041.)

Note: A similar 1994 appropriation for this account had not been enacted at the time this budget was prepared. The 1994 amounts included in this budget are based on the levels provided in three continuing resolutions: P.L. 104-91; P.L. 104-92; and P.L. 104-99.

U.S. Postal Commission
 Salaries and expenses
 Comparison of 1985 Charges
 (Dollars in thousands)

Federal Activity	1985 President's Budget Request		Congressional Appropriation Action on 1985 Request		1985 Appropriation Anticipated				
	Pos.	NY Amount	Pos.	NY Amount	Pos.	NY Amount			
U.S. Postal Commission	53	78	98,791	---	-16	-\$1,235	53	62	\$5,446

U.S. PAROLE COMMISSION
Salaries and expense
Summary of Requirements
(Dollars in thousands)

(Dollars in thousands)													
Adjustments in basis:													
1986 Appropriation Anticipated													
Transfer from Working Capital Fund for Mail Management Services													
Increase (subtotals, net-policy)													
1987 Basis													
Program Changes (see program narratives for details)													
1987 Estimate													
1986 Appropriation Anticipated													
1987 Actual													
Estimates by Program													
U.S. Postal Commission													
Other Workyears:													
Overtime													
Total compensable workyears													
Perm. Pos.													
WY Amount													
Increase/Decrease													
Perm. Pos.													
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**U.S. Parole Commission
Policies and Procedures
Prisons and Parole System Information
Government Performance and Results Act Requirements**

MISSION: To make decisions on grants and details of parole, conditions of parole, supervision of parolees and mandatory release, recommendations in event of violation of conditions of supervision, and termination of supervision as outlined in the Parole Commission and Reorganization Act of 1978.

ORGANIZATIONAL GOALS: To establish a national parole policy and provide the consistent exercise of discretion in the parole process, including the development and application of specific guidelines for decision-making so that the decision of terms of imprisonment throughout the Federal system will be equitable for those prisoners over whom the Commission has jurisdiction.

To make decisions regarding the grant or denial of parole that both promote justice and that protect the public welfare.

To provide adequate supervision for parolees and mandatory release to enhance community protection and the rehabilitation of the offender.

To promptly modify or revoke the parole or mandatory release of any individual who violates the conditions of release.

U.S. Parole Commission
Salaries and Expenses
Program and Performance Information
 (Dollars in thousands)

ACTIVITY/PAROLE

	Pers.	NY	Amount
1996 anticipated	53	62	93,446
1997 Base	53	62	9,679
1997 Request	43	63	5,301
Increase/Decrease	-10	-9	-476

BASE PROGRAM DESCRIPTION: The United States Board of Parole was created by Congress in 1938. The Parole Commission and Reorganization Act of 1976 (Public Law 94-253, effective May 14, 1976) renamed the agency as the United States Parole Commission and placed it within the Department of Justice for administrative purposes. The Commission is an agency with independent, decision-making powers set forth by statute. The Commission has parole jurisdiction over all eligible Federal prisoners, wherever confined, and continuing jurisdiction over those who are released on parole or as if on parole (mandatory release). The Parole Commission and Reorganization Act provides for nine Commissioners, one of which is designated Chairman, who are appointed by the President with the advice and consent of the Senate. Currently, there are six serving Commissioners whose terms expire in November, 1997 coincident with the termination date of the Commission. In addition to the Chairman, two Commissioners make regular parole decisions in their respective regional jurisdictions, and three Commissioners comprise the National Appeals Board. National parole policy is made by formal Commission deliberation at quarterly meetings.

On a cooperative basis, the Commission uses the services of the staff employed by both the Federal Prison System (FPS) and the Probation and Pretrial Services Division of the U.S. Courts. FPS staff, who are assigned to the correctional institutions throughout the nation, prepare program reports and other reports concerning parole applicants. Field supervision of released prisoners is provided by Probation Officers of the Probation Service, who, pursuant to statute, function as "parole officers" for Federal prisoners. Reports concerning the adjustment of parolees and mandatory releases are prepared by these officers and submitted to the Commission.

As part of the Comprehensive Crime Control Act of 1984 (Public Law 98-463), the United States Sentencing Commission was established to develop and issue comprehensive guidelines for Federal cases. As a result, the current Federal parole system is scheduled to be phased out. These sentencing guidelines, which were developed in large part from guidelines that had been developed for the Parole Commission during the 1970's, went into effect on November 1, 1987. The original legislation provided for the Parole Commission to be phased out by November, 1988, but because of constitutional questions involving grants of parole for thousands of "old line" prisoners who would still be incarcerated at the termination date, the Judicial Improvements Act of 1989 (P.L. 101-560) extended the life of the Commission to November 1, 1997. Legislation passed by the Senate (S. 1267) in December 1995 and now under consideration in the House of Representatives would provide a five-year extension for the Commission in lieu of transferring the parole function to the Federal Judiciary.

Hearing Examiners appointed by the Commission conduct in person parole hearings with prisoners eligible for parole and make recommendations to the Commissioners. These hearings are conducted by examiner panels at Federal prisons where parole-eligible prisoners are held. Examiners also conduct revocation hearings at Federal and State and local facilities for parolees who have violated their conditions of parole. Summaries of the hearings are recorded, then transcribed and sent to the Regional Office for the initial review and decision of a Commissioner.

The Bureau of Prisons has continued to open new correctional facilities to accommodate the dramatically growing number of prisoners, and as new facilities have been opened, the Commission and BOP have agreed to concentrate parole-eligible inmates in fewer facilities in order to minimize the number of locations requiring hearing dockets. As of September 30, 1986, there were 90,187 prisoners in BOP facilities, of which approximately 8,668 (9.5%) are parole-eligible.

When an individual is released on parole, conditions of release are imposed. The violation of any of these conditions could result in revocation of parole. The Commission has instituted a "zero tolerance policy" of illegal drug use by parolees. Any instance of illegal drug use by any parolee must be reported by the probation officer to the Commission. After the facts surrounding the violation are reviewed, a sanction or intervention is prescribed to correct or remedy the problem.

Warrants issued by the Commission to initiate the revocation of an inmate's parole, and the resulting revocation hearings, have remained at relatively constant levels over the past several years. Timely processing of warrants and revocation hearings are essential to the safety of the public and maintaining public confidence in the parole process. Revocation cases make a disproportionate demand on examiner and staff time because of their adversarial nature and because a majority of parolees in these cases are represented by counsel.

Initial hearings are due within 120 days of a newly-sentenced inmate's arrival in prison. Statutory interim hearings are due at 18 or 24 month intervals, pursuant to U.S.C. 4205(b), depending on their sentence length. Institutional revocation hearings are an important determinant of docket schedule. An alleged parole violator who is returned to an institution must be given a revocation hearing within the 90-day statutory deadline. Statutory deadlines effectively impose a bi-monthly docket schedule. Local revocation hearings are required to take place within 60 days of arrest at or near the location where the infraction or arrest occurred. Witnesses are present and produce what are the most work intensive hearings.

In 1974, the U.S. Board of Parole (as then named) developed and implemented the first guidelines to be used anywhere to structure incarceration and release decision-making. All parole and sentencing guidelines developed in the United States are, for the most part, an outgrowth of federal parole guidelines. The new Federal sentencing guidelines were modeled after the parole guidelines. The guidelines and the independence of the Federal parole system were affirmed and strengthened by Congress when it passed the Federal Sentencing and Reorganization Act of 1978. The act enhanced due process, provided the right for inmates to have a representative at their hearing and required that the reasons for denial be stated in writing. The Parole guidelines are built around a two-dimensional matrix that considers offense severity on one axis and offender prognosis (risk) on the other. For each combination of offense severity and risk, the guidelines indicate a range of time to be served. The Commission may release outside the guideline range if it determines there is good cause for doing so. Inmates are furnished a written notice stating the reasons for the Commission's determination and a summary of the information relied upon. The guidelines have played a significant role over the past two decades in reducing sentencing disparity.

Prisoners who are dissatisfied with the decision rendered after their hearing may file an appeal with the Commission's National Appeals

Board (NAB). The NAB can affirm, modify or reverse the decision under provisions set forth in 28 CFR 2.56. The NAB must complete the action within 60 days of receipt of the appeal.

The Office of the Chairman provides overall management of the Commission's activities and functional supervision of the Regional Hearing Examiners and Analysts. This office also provides quality control of case decisions, coordinates the training program and is responsible for publication of the Parole Commission's Rules and Procedures manual (28 CFR 2.1 - 2.67).

The Legal Section, headed by the General Counsel, advises the Commissioners and staff on interpretation of the agency's enabling statutes and policy, drafts implementing rules and regulations and audits U.S. Attorney's Offices in defending the Commission against lawsuits brought by prisoners and parolees. The office is also a resource for staff on problems involving the processing of requests for information under the Privacy Act of 1974, as amended in 1976. The Office responds directly to requests submitted under the Freedom of Information Act. Finally, the Office has the responsibility for analyzing applications for exemption from prohibitions imposed by Federal law against persons who have been convicted of certain crimes from carrying labor union, management or pension fund positions, and ensuring that the hearings under the Administrative Procedures Act are properly conducted. The Commission's legal staff also participates with the State Department and other units of the Department of Justice on various phases of the development of treaties and implementing legislation for the exchange of prisoners with other countries.

An Administrative Office headed by the Executive Officer provides administrative support in the areas of personnel, budget and finance, procurement, and property and space management.

INITIATIVES

ACTIVITY: PAROLE

Parole Commission Downsizing

Perm. Pos.	WY	Amount
-10	-9	-478

Proposed Actions

The 1997 budget proposes a continuation of the downsizing reductions that have been accomplished over the past several years in anticipation of the termination of the Commission on November 1, 1997. At the end of FY 1996 (September 30, 1996) the Commission will have jurisdiction over approximately 12,466 parolees and 6,723 inmates who are eligible for parole. Although these numbers are steadily declining, substantial numbers will remain under the Commission's jurisdiction for the balance of this decade and beyond the year 2000. Much of the caseload is comprised of parolees and inmates with difficult and time-consuming case histories. A program decrease of ten positions, nine workyears and \$478,000 is requested to continue the downsizing during FY 1997.

PERFORMANCE MEASUREMENT TABLE: PRESENTED BY GENERAL GOAL

GENERAL GOAL: To make decisions on grants and awards of parole, conditions of parole, supervision of parole and releases, recommended in view of violation of conditions of supervision, and termination of supervision as authorized in the Parole Commission Reorganization Act of 1976 (16 U.S.C. 4201 et seq.)									
PERFORMANCE MEASUREMENT INFORMATION									
Measure	1980 Actual	1981 Actual	1982 Target	1983 Actual	1984 Target	1985 Actual	1986 Target	1987 Target	1988 Target
a. Initial	1,025	1,080	800	742	872	872	872	872	872
b. Board Review *	3,736	1,815	1,261	1,653	1,270	1,270	1,270	1,270	1,270
c. Resolutions	217	277	200	200	200	200	200	200	200
d. Local Revisions	729	842	200	200	200	200	200	200	200
e. Institutional Revisions **	5,400	1,750	1,240	1,240	1,240	1,240	1,240	1,240	1,240
f. Other	197	98	70	72	90	90	90	90	90
g. Summary Review	1,277	1,245	800	800	800	800	800	800	800
h. Total, Hearings & Board Reviews	9,364	5,727	3,170	3,311	3,311	3,311	3,311	3,311	3,311
Approved Decisions									
a. National	1,200	1,204	750	750	750	750	750	750	750
b. Administrative Review ***	200	140	120	120	120	120	120	120	120
c. Original Administrative Decisions & Appeals	119	98	90	111	97	97	97	97	97
Total	1,400	1,400	1,400	1,400	1,400	1,400	1,400	1,400	1,400

* Includes Investigative Data Based Reviews and Officer Parole Board Reviews only.

** Includes Supervised Release Reviews.

*** Includes D.C. Case Reviews for Continuing Litigation.

U.S. Postal Commission
Salaries and Expenses
Financial Analysis - Program Changes
(Dollars in thousands)

Item	Phase-out of Postal Commission	
	Pos.	Amount
Grades		
GS-13	-1	-57
GS-12	-1	-49
GS-7	-5	-128
GS-5	-3	-65
Total positions and annual rate	-10	-310
Leaves (1)		
Other than Full-time Permanent		
Other Personnel Compensation		
Total workyears and personnel compensation	-10	-310
Personnel benefits		
Benefits for former personnel		42
Travel and transportation of persons		
Transportation of things		-30
OSA rent		
Communications, utilities and miscellaneous charges		-31
Printing		
Other services		-32
Supplies		-13
Equipment		
Total	-10	-478

**U.S. Public Commission
on
Salaries and Expenses
Status of Congressionally Requested Studies, Reports, and Evaluations**

The House Appropriations Committee Report relating to the Department of Justice Appropriations Act, 1966 required the Commission and the Administrative Office of the U.S. Courts to conduct a joint study to assess the feasibility of transferring all remaining workload of the Commission to the Federal Judiciary by September 30, 1966 and to report the findings of this study to the Commission by March 1, 1966. A completed copy of the report was forwarded to the Commission as required on March 1, 1966.

U.S. Parole Commission
Salaries and Expenses
Detail of Permanent Positions by Category
Fiscal Years 1995 - 1997

Category	1995 Auth.	1996 President's Request	1997	
			Program Changes	Total
Attorneys (905)	5	5	...	5
Other Legal and Kindred (900-999)	1	1	...	1
Social Sciences, Economics and Kindred (100-199)	33	23	-5	18
General Administrative, Clerical and Office Services (200-399)	33	23	-5	18
Accounting and Budget (500-599)	1	1	...	1
Total	73	53	-10	43
Washington, U.S. Field	56 17	53	-10	43
Total	73	53	-10	43

**U.S. Postal Commission
Salaries and Expenses
Summary of Change
(Dollars in thousands)**

Adjustments to base:	Pos.	NY	Amount
1987 President's Request.....	53	62	\$3,446
Transfer from Working Capital Fund for Mail Management Services.....	..	..	4
Increases (decreases, net):			
1987 Pay Rat.....	..	..	162
Annualization of 1988 Locality Pay.....	..	..	14
Annualization of 1988 Pay Rates.....	..	..	36
With-grade increases.....	..	..	17
GSA Rent.....	..	..	56
General pricing level adjustments.....	..	..	6
Total, increases.....	..	..	229
1987 Base.....	53	62	5,579
Program Changes:			
Down-sizing Reduction.....	-10	-9	-479
1987 Estimate.....	43	53	5,291

U.S. Parole Commission
Salaries and Expenses
Justification of Adjustments to Base
(Dollars in thousands)

	FY	Amount
Transfer:		
1. Transfer of Resources for Mail Management Services		
This redistribution is necessary in order to align base funding according to the allocation that is being used to distribute the 1996 Mail Management Service overhead costs. The funds to be redistributed will be based on the 1996 survey of mail volume, since this represents the most current information available	...	\$ 4
Increases (Automatic, non-policy):		
1. 1997 Pay Rates	102
This request provides for the proposed 3 percent pay raise to be effective in January of 1997 and is consistent with Administration policy included in the 1997 President's budget request. The amount requested, \$102,000, represents the pay amounts for three-quarters of the fiscal year plus appropriate benefits (\$88,000 for pay and \$14,000 benefits).		
2. Annualization of 1996 Locality Pay Adjustment	14
This adjustment represents the locality pay increase anticipated to be effective in January 1996. The 1996 increase is calculated at the rate approved in 1996 for the full fiscal year.		
3. Annualization of 1996 Pay Rates	35
This pay annualization represents first quarter amounts (October through December) of the 1996 pay increase of 2.4 percent to be effective in January 1996, plus appropriate personnel benefits and the additional amount required above the 2.2 percent originally requested for the three-quarters of the year (\$30,000 for pay and \$5,000 for benefits).		
4. Within-grade Increases	17
This request provides for the expected increase in costs of within-grade increases. This increase is based on an accurate, dynamic model of the Department's employee population which includes numerous factors such as anticipated pay raises, adjustments to include three-year attrition/separation rates, and career ladder series to reflect promotion policy for each organization. The request includes \$14,000 for pay and \$3,000 for benefits.		
5. General Services Administration (GSA) Rent	65
GSA will continue to charge rental rates that approximate those charge to commercial tenants for equivalent space and related services. The requested increase of \$55,000 is required to meet our commitment to GSA. The costs associated with GSA rent were derived through the use of the auto rated system, which uses the latest inventory data and GSA-provided 1996 rates.		

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Increase (Asterisk: No. non-policy) continued:	NY	Account
<p>4. General Pricing Level Adjustments.....</p> <p>The increase result from applying a factor of 2.1 percent against those subject classes where the prices that the Government pays are established through the market system instead of by law or regulation. Generally, the factor is applied to supplies, materials, equipment, contracts with the private sector, printing costs, transport costs and utilities.</p>	..	7
<p>Total, Increases/Adjustments to Base.....</p>	..	233

U.S. Parole Commission
Salaries and expenses
Summary of Requirements by Grade and Object Class

Object Class	1968 Estimate			1968 Estimate			1967 Request			Increasing Expenses		
	Pos.	WT	Amount	Pos.	WT	Amount	Pos.	WT	Amount	Pos.	WT	Amount
Personnel Compensation:												
11.1 Permanent positions.....	73	80	\$3,352	53	50	\$2,754	43	40	\$2,051	-10	-10	-\$73
11.3 Positions other than perm.....		21	663		12	439		13	472		1	33
11.5 Other personnel comp.....			114			22			22			
11.8 Special pers. services pay.....												
Total.....	73	81	4,169	53	62	3,195	43	53	3,155	-10	-9	-\$40
Other objects:												
12.1 Personnel benefits.....			879			828			817			-9
13.0 Benefits for former pers.....			135			84			84			
21.0 Travel and transport of pers.....			397			278			248			-30
22.0 Transportation of things.....			74			37			30			-7
23.1 GSA rent.....			628			552			469			-83
23.3 Communications, utilities and other rent.....			227			205			154			-51
24.0 Printing and reproduction.....			39			20			10			-10
25.0 Other services.....			471			374			342			-32
28.0 Supplies and materials.....			145			75			62			-13
31.0 Equipment.....			80									
Total objects.....			7,247			5,446			5,201			-245
Unobligated balance leaving.....			203									
Total requirements.....			7,450			5,446			5,201			-244
Relation of obligations to outlays:												
Total obligations.....			7,247			5,446			5,201			
Obligated balance, start-of-year.....			1,611			1,870			1,344			
Obligated balance, end-of-year.....			-1,870			-1,344			-981			
Outlays.....			6,989			5,972			5,564			

Legal Activities
Salaries and expenses, General Legal Activities
Summary Statement
Fiscal Year 1997

For 1997, the General Legal Activities (GLA) appropriation seeks a total budget of 3,459 positions, 3,524 workyears (excluding 356 reimbursable workyears) and \$450,277,000. This resource level represents an overall increase of 12 positions and 20 workyears above 1996 staffing levels; the requested funding level is \$36,348,000 above the 1996 availability. Adjustments to base include increases of \$21,420,000. The program changes requested for 1997 include increases of 12 positions, 20 workyears and \$14,928,000. The 1997 program changes are individually discussed below.

Office of International Affairs. The Criminal Division seeks \$478,000 in additional funding, and nine positions for the Office of International Affairs to create a unit which will: collect, organize, and critically analyze all sensitive international law enforcement information and provide the Attorney General and senior managers within the Department with such information upon request; produce and provide any necessary briefing material on international matters; and, develop the capability to spot emerging trends and stay abreast of rapidly changing international developments.

Civil Rights Prosecution. The Civil Rights Division seeks \$276,000 in additional funding, and three attorney positions to enable the Civil Rights Prosecution Section to address the continued incidence of police brutality and violent and intimidating acts of racial, ethnic and religious hatred occurring across the Nation. The additional resources will enhance the ability of the Section to bring prosecutions under the federal criminal civil rights laws in a more timely manner. The request includes \$50,000 for automated litigation support and technical support.

Disability Rights. The Civil Rights Division seeks \$361,000 in additional funding to provide the Disability Rights Section with contract paralegal support to enhance and improve its efforts in enforcing the Americans with Disabilities Rights Act (ADA). Specifically, the increased resources will enable the Section to: investigate matters of possible noncompliance; to address complaints through alternative dispute resolution; provision of technical assistance, informal or formal settlement agreement, or litigation; and, to increase, in number and effectiveness, the resolution of matters of alleged noncompliance under Titles II and III of the ADA.

1996 Restoration of Base. The Department is requesting an additional \$13,813,000 for the General Legal Activities organizations to restore eroded base levels of funding. In 1996, the Department has not been provided funds for required payments such as pay raises and inflationary increases.

Legal Activities
Salaries and expenses, General Legal Activities
Justification of Proposed Changes in Appropriation Language

The 1997 budget estimates include proposed changes in the appropriation language listed and explained below. New language is underscored in bold and deleted matter is [enclosed in brackets].

Salaries and expenses, General Legal Activities

For expenses, not otherwise provided for, necessary for the legal activities of the Department of Justice, including not to exceed \$20,000 for collecting evidence, to be expended under the direction of, and to be accounted for solely under the certificate of, the Attorney General; \$450,277,000; of which not to exceed \$1 \$10,000,000 for litigation-support contracts and \$21 \$17,525,000 for office automation systems for all legal divisions of the Department, for the United States Attorneys, for the Antitrust Division, and for offices funded through "Salaries and Expenses". General Administration, shall remain available until expended; and of which not to exceed \$1,000 shall be available to the United States National Central Bureau, INTERPOL, for official reception and representation expenses; Provided, That notwithstanding 31 U.S.C. 1342, the Attorney General may accept on behalf of the United States, and credit to this appropriation, gifts of money, personal property and services, for the purpose of hosting the International Criminal Police Organizations's (INTERPOL) American Regional Conference in the United States during fiscal year 1997.

In addition, for reimbursement of expenses of the Department associated with processing cases under the National Childhood Vaccine Injury Act of 1986, as amended not to exceed \$4,028,000 to be appropriated from the Vaccine Injury Compensation Trust Fund, as authorized by Section 6601 of the Omnibus Budget Reconciliation Act, 1992, as amended by Public Law 101-512.

Explanation of changes:

Note - A regular 1996 appropriation for this account had not been enacted at the time this budget was prepared. The 1996 amounts included in this budget are based on the levels provided in three continuing resolutions; P.L. 104-91, P.L. 104-92, and P.L. 104-99.

LEGAL ACTIVITIES

Activities and amounts, General Legal Activities

Comparison of 1988 Changes

(Dollars in thousands)

Budget Activity/Program	1988 President's Budget Request			Congressional Action on 1988 Request			Adjustment in Positions and Vacancies			Transfers			Reappropriations			1988 Appropriation		
	Pos.	WY	Amount	Pos.	WY	Amount	Pos.	WY	Amount	Pos.	WY	Amount	Pos.	WY	Amount	Pos.	WY	Amount
1. Conduct of Supreme Court Proceedings and Review of appellate matters.....	48	52	96,188	0	(7)	(3,229)	0	0	0	0	0	0	0	0	0	48	50	\$5,900
2. Criminal matters.....	649	614	80,553	0	(11)	(1,179)	0	0	0	0	0	0	0	0	0	649	603	\$49,377
3. Criminal matters.....	717	736	82,538	0	0	(3,059)	0	0	0	0	0	0	0	0	0	717	736	\$79,806
4. Civil, customs and general matters.....	961	969	127,009	(7)	(7)	(7,549)	(20)	(20)	0	0	0	0	0	0	0	928	908	\$130,364
5. Land, natural resources and Indian matters.....	449	476	91,117	0	0	(2,669)	0	0	0	0	0	0	0	0	0	449	476	\$48,032
6. Legal activities.....	37	41	4,097	0	0	3	0	0	0	0	0	0	0	0	0	37	41	\$4,090
7. U.S. Marshals.....	867	869	66,364	0	0	(2,796)	0	16	0	0	0	0	0	0	0	867	879	\$82,546
8. Legal activities.....	92	94	6,941	0	0	(212)	0	0	0	0	0	0	0	0	0	92	94	\$6,429
9. Legal activities.....	0	0	22,818	0	0	(17,893)	0	0	0	0	0	12,000	0	0	0	0	0	\$17,828
Total.....	3,499	3,529	437,666	(7)	(19)	(24,191)	(20)	(20)	0	0	0	12,000	0	0	0	3,437	3,504	413,029
Reimbursable FTE.....	315						18									306		
Grand total FTE.....	3,814						38									3,743		\$3,960

Comments: Appropriation for the General Legal Activities reduced the request by \$24,191,000. The Congress also provided funding for the Criminal Division requested in the Counterterrorism Amendment of 16 positions, 16 transfers, and \$2,597,000. All other program increases were denied.

Additional Information: Positions and Vacancies. This adjustment reflects a reorganization of the Criminal Division which involved 30 reimbursable positions for the administration of the International Criminal Investigative Training and Assistance Program. Also reflected are adjustments made to the Civil Division and Civil Rights Division to more accurately reflect the level of positions funded by each organization.

Zeros

Comments: Congress decided that the Department transfer \$12,000,000 to the General Legal Activities appropriation from the Working Capital Fund Unobligated Balance.

LEGAL ACTIVITIES
Salaries and expenses, General (Legal Activities)
Summary of Expenditures
(Columns in thousands)

	1986 as Budgeted		1986 Actual		1986 Appropriation		1987 Budget		1987 Estimate		Increased/Decreased	
	Encl.	NYL Amount	Encl.	NYL Amount	Encl.	NYL Amount	Encl.	NYL Amount	Encl.	NYL Amount	Encl.	NYL Amount
1986 Conference Allowance												
Salaries and expenses, General (Legal Activities)												
Transfer from the Working Capital Fund												
1986 Appropriation Anticipated												
Adjustments to Base:												
Transfer to and from												
Financial Operations (Salaries and Expenses)												
Investments (Salaries, non-policy)												
Net Adjustments to Base												
1987 Base												
Program Changes (See Program Narrative for Details)												
1987 Estimate												
Expenditures in Dollars												
1. Contract of Supreme Court												
proceedings and matter												
2. Appellate matters												
3. Criminal matters												
4. Civil, criminal and general												
5. Land, natural resources and												
other matters												
6. Land matters												
7. Civil rights matters												
8. INTERPOL - U.S. National												
9. Criminal Bureau												
10. Legal activities												
other matters												
Total												
Reimbursable Workyears												
Total Workyears												
Other Workyears												
Overhead												
Total Compensable Workyears												

Note: 1. 1987 Budget based on the 1986 Budget. 2. 1987 Estimate is an estimate of expenditures for 1987. 3. 1987 Estimate is based on the 1986 Budget and the 1987 Budget. 4. 1987 Estimate is based on the 1986 Budget and the 1987 Budget. 5. 1987 Estimate is based on the 1986 Budget and the 1987 Budget. 6. 1987 Estimate is based on the 1986 Budget and the 1987 Budget. 7. 1987 Estimate is based on the 1986 Budget and the 1987 Budget. 8. 1987 Estimate is based on the 1986 Budget and the 1987 Budget. 9. 1987 Estimate is based on the 1986 Budget and the 1987 Budget. 10. 1987 Estimate is based on the 1986 Budget and the 1987 Budget.

LEGAL ACTIVITIES
Salaries and Expenses, General Legal Activities
Reimbursable Resources, Summary of Reimbursements
(Dollars in thousands)

Collection by Program	1986 Actual			1986 Estimate			1987 Estimate			Increase/Decrease	
	Poa.	WY.	Amount	Poa.	WY.	Amount	Poa.	WY.	Amount	Poa.	WY.
1. Conduct of Supreme Court proceedings and review of appellate matters.....	...	...	...	...	...	...	...	...	...	...	...
2. General tax matters.....	14	10	\$1,418	14	12	\$1,808	14	12	\$1,438	...	...
3. Criminal matters.....	24	24	9,227	60	60	17,114	60	60	17,114	...	...
4. Claims, customs and general civil matters.....	36	33	\$1,427	36	36	\$1,438	36	36	47,200	...	...
5. Land, natural resources and Indian matters.....	242	242	\$6,136	242	242	\$9,000	242	242	\$9,000	...	...
6. Legal opinions.....	...	...	...	...	...	...	...	...	...	...	...
7. Civil rights matters.....	6	6	3,473	6	6	734	6	6	787	...	63
8. INTERPOL - U.S. National Central Bureau.....	...	...	121	...	...	40	...	...	40	...	...
9. Legal activities office automation.....	...	...	120	...	...	...	...	...	...	...	...
Total Budgetary Resources.....	322	316	120,922	368	368	121,212	368	368	116,579	0	(4,633)

Note: The 1986, 1988 and 1987 figures have been revised from those included in the President's Appendix to more accurately reflect current estimates.

LEGAL ACTIVITIES
Estimate of 1987 Legal Activities
Summary of Changes
(Dollars in thousands)

	Perm. Est.	WFL Amount
1986 Conference Allowance.....	3,477	3,524
Adjustment in Penalties and Workyears.....	(24)	(25)
Transfer from the Working Capital Fund.....	0	0
1986 Appropriation Anticipated.....	3,447	3,504
1987 Estimate.....	413,828	
Adjustments to base:		
Transfer to and from other accounts.....	0	0
Transfer for Risk Management Services.....	0	0
Transfer for Operations Systems Modification.....	0	0
1987 Estimate.....	0	0
Excesses:		
1987 Pay rate and locality pay adjustment.....	0	0
Annualization of 1986 pay rates.....	0	1,963
Annualization of 1986 locality pay adjustment.....	0	0
Wife-grade increases.....	0	788
Accident compensation.....	0	2,609
Third-class airfare rate increase.....	0	178
GSA Fund.....	0	56
Increases in Litigation Support Contracts.....	0	7,779
General pricing level adjustment.....	0	0
INTERPOL - UNICCS Desk.....	0	1,108
1987 Estimate.....	0	328
Net Adjustments to base:		
1987 Base.....	0	0
Program Change.....	3,447	3,504
1987 Estimate.....	3,447	3,504

LEGAL ACTIVITIES
Salaries and expenses, General Legal Activities
Auditation of Multi-Activity Program Changes
(Dollars in thousands)

Budget Activity/Program	Restoration of 1988 Base	
	FY 88	FY 89
1. Conduct of Supreme Court proceedings and review of appellate matters.....	0	2
2. General tax matters.....	0	11
3. Criminal matters.....	0	0
4. Claims, customs and general civil matters.....	0	0
5. Land, natural resources and Indian matter.....	0	0
6. Legal opinions.....	0	0
7. Civil rights matters.....	0	0
8. INTERPOL - USNCS.....	0	0
9. Legal Activities Office Automation.....	0	0
Total.....	0	13

LEGAL ACTIVITIES
Salaries and Expenses, General Legal Activities
Summary of Permanent Positions by Category
Fiscal Years 1986 - 1987

Category	1986		1987 Estimate	
	Authorized	Reimbursable	Authorized	Total Reimbursable
Attorneys (200).....	1,984	188	1,982	188
Paralegal Specialists (200).....	300	46	295	46
Chief Legal and Related (200 - 999).....	79	2	79	2
Social Sciences, Economics (100 - 199).....	31	0	30	0
General Administrative, Clerical (200 - 399).....	1,055	101	979	135
Accounting and Budget (200 - 599).....	36	6	34	7
Business and Industry (100 - 1199).....	3	0	3	0
Information and Arts (1000 - 1099).....	9	0	9	0
Mathematics and Statistics.....	2	0	2	0
General Investigating (1801 - 1810).....	6	0	6	0
Other.....	18	0	18	0
Total.....	3,524	322	3,447	368
Washington, D.C.....	3,402	310	3,330	348
U.S. Field.....	116	12	115	12
Foreign Field.....	3	0	3	0
Total.....	3,520	322	3,448	368

1987 Targeted Positions	482	2	435	10	433	10
Supervisors.....	20	0	18	0	18	0
Paralegal Specialists (200).....	27	3	25	4	25	4
Budget Specialists.....	17	0	14	0	14	0
Accountants and Auditors.....	15	0	14	0	14	0
Acquisition Specialists.....	15	0	14	0	14	0
Headquarters Staff.....	349	3	343	4	343	4

Note: The Office of Solicitor General and the Office of Legal Counsel are exempt from 1987 restructuring requirements.

Program	1987 Appropriation Authorized				1987 Requested				1987 Requested			
	Amount		FTE		Amount		FTE		Amount		FTE	
	Pop.	PTE	Pop.	PTE	Pop.	PTE	Pop.	PTE	Pop.	PTE	Pop.	PTE
1. Contract of Response Unit personnel and related operating activities	22	20	48	0	0	0	22	22	38	20	48	22
2. Contract for salaries	270	271	402	0	0	0	270	271	271	271	402	271
3. Contract for salaries	462	464	717	0	0	0	462	464	720	720	940	914
4. Contract for salaries and general dtd salaries	012	022	210	0	0	0	012	022	210	204	020	000
5. Local, related contracts and related salaries	302	310	440	0	0	0	302	310	147	157	440	470
6. Local salaries	22	24	17	0	0	0	22	24	16	17	27	41
7. Local night salaries	264	261	260	0	0	0	267	263	300	308	260	261
8. WPPSSA - U.S. National Contract Salaries	0	0	02	0	0	0	0	0	0	02	04	04
9. Local salaries	0	0	0	0	0	0	0	0	0	0	0	0
TOTAL REQUESTS	1,002	1,009	1,602	0	0	0	1,002	1,011	1,004	1,013	1,409	1,204
Total			1,647	0	0	0						

Programs	1984 Appropriation Anticipated				1987 Program Increases				1987 Request Level			
	Alternate	Request	Total		Alternate	Request	Total		Alternate	Request	Total	
	Pers. FTE	Pers. FTE	Pers. FTE		Pers. FTE	Pers. FTE	Pers. FTE		Pers. FTE	Pers. FTE	Pers. FTE	
1. Conduct of Research and Development and other	0	0	0		0	0	0		0	0	0	
of operations centers	12	10	2	14	12	0	0	12	10	2	14	
2. Related to research	7	7	0	14	0	0	0	14	0	0	14	
3. Construction and general	0	0	0	0	0	0	0	0	0	0	0	
of facilities	17	17	0	34	0	0	0	34	0	0	34	
4. Local, regional measures and	127	127	242	342	0	0	0	342	127	116	243	
other matters	0	0	0	0	0	0	0	0	0	0	0	
5. Local operations	0	0	0	0	0	0	0	0	0	0	0	
6. Local operations	0	0	1	1	0	0	0	1	0	1	1	
7. Other	0	0	0	0	0	0	0	0	0	0	0	
8. Other	0	0	0	0	0	0	0	0	0	0	0	
9. Other	0	0	0	0	0	0	0	0	0	0	0	
10. Other	0	0	0	0	0	0	0	0	0	0	0	
11. Other	0	0	0	0	0	0	0	0	0	0	0	
12. Other	0	0	0	0	0	0	0	0	0	0	0	
13. Other	0	0	0	0	0	0	0	0	0	0	0	
14. Other	0	0	0	0	0	0	0	0	0	0	0	
15. Other	0	0	0	0	0	0	0	0	0	0	0	
16. Other	0	0	0	0	0	0	0	0	0	0	0	
17. Other	0	0	0	0	0	0	0	0	0	0	0	
18. Other	0	0	0	0	0	0	0	0	0	0	0	
19. Other	0	0	0	0	0	0	0	0	0	0	0	
20. Other	0	0	0	0	0	0	0	0	0	0	0	
21. Other	0	0	0	0	0	0	0	0	0	0	0	
22. Other	0	0	0	0	0	0	0	0	0	0	0	
23. Other	0	0	0	0	0	0	0	0	0	0	0	
24. Other	0	0	0	0	0	0	0	0	0	0	0	
25. Other	0	0	0	0	0	0	0	0	0	0	0	
26. Other	0	0	0	0	0	0	0	0	0	0	0	
27. Other	0	0	0	0	0	0	0	0	0	0	0	
28. Other	0	0	0	0	0	0	0	0	0	0	0	
29. Other	0	0	0	0	0	0	0	0	0	0	0	
30. Other	0	0	0	0	0	0	0	0	0	0	0	
31. Other	0	0	0	0	0	0	0	0	0	0	0	
32. Other	0	0	0	0	0	0	0	0	0	0	0	
33. Other	0	0	0	0	0	0	0	0	0	0	0	
34. Other	0	0	0	0	0	0	0	0	0	0	0	
35. Other	0	0	0	0	0	0	0	0	0	0	0	
36. Other	0	0	0	0	0	0	0	0	0	0	0	
37. Other	0	0	0	0	0	0	0	0	0	0	0	
38. Other	0	0	0	0	0	0	0	0	0	0	0	
39. Other	0	0	0	0	0	0	0	0	0	0	0	
40. Other	0	0	0	0	0	0	0	0	0	0	0	
41. Other	0	0	0	0	0	0	0	0	0	0	0	
42. Other	0	0	0	0	0	0	0	0	0	0	0	
43. Other	0	0	0	0	0	0	0	0	0	0	0	
44. Other	0	0	0	0	0	0	0	0	0	0	0	
45. Other	0	0	0	0	0	0	0	0	0	0	0	
46. Other	0	0	0	0	0	0	0	0	0	0	0	
47. Other	0	0	0	0	0	0	0	0	0	0	0	
48. Other	0	0	0	0	0	0	0	0	0	0	0	
49. Other	0	0	0	0	0	0	0	0	0	0	0	
50. Other	0	0	0	0	0	0	0	0	0	0	0	
51. Other	0	0	0	0	0	0	0	0	0	0	0	
52. Other	0	0	0	0	0	0	0	0	0	0	0	
53. Other	0	0	0	0	0	0	0	0	0	0	0	
54. Other	0	0	0	0	0	0	0	0	0	0	0	
55. Other	0	0	0	0	0	0	0	0	0	0	0	
56. Other	0	0	0	0	0	0	0	0	0	0	0	
57. Other	0	0	0	0	0	0	0	0	0	0	0	
58. Other	0	0	0	0	0	0	0	0	0	0	0	
59. Other	0	0	0	0	0	0	0	0	0	0	0	
60. Other	0	0	0	0	0	0	0	0	0	0	0	
61. Other	0	0	0	0	0	0	0	0	0	0	0	
62. Other	0	0	0	0	0	0	0	0	0	0	0	
63. Other	0	0	0	0	0	0	0	0	0	0	0	
64. Other	0	0	0	0	0	0	0	0	0	0	0	
65. Other	0	0	0	0	0	0	0	0	0	0	0	
66. Other	0	0	0	0	0	0	0	0	0	0	0	
67. Other	0	0	0	0	0	0	0	0	0	0	0	
68. Other	0	0	0	0	0	0	0	0	0	0	0	
69. Other	0	0	0	0	0	0	0	0	0	0	0	
70. Other	0	0	0	0	0	0	0	0	0	0	0	
71. Other	0	0	0	0	0	0	0	0	0	0	0	
72. Other	0	0	0	0	0	0	0	0	0	0	0	
73. Other	0	0	0	0	0	0	0	0	0	0	0	
74. Other	0	0	0	0	0	0	0	0	0	0	0	
75. Other	0	0	0	0	0	0	0	0	0	0	0	
76. Other	0	0	0	0	0	0	0	0	0	0	0	
77. Other	0	0	0	0	0	0	0	0	0	0	0	
78. Other	0	0	0	0	0	0	0	0	0	0	0	
79. Other	0	0	0	0	0	0	0	0	0	0	0	
80. Other	0	0	0	0	0	0	0	0	0	0	0	
81. Other	0	0	0	0	0	0	0	0	0	0	0	
82. Other	0	0	0	0	0	0	0	0	0	0	0	
83. Other	0	0	0	0	0	0	0	0	0	0	0	
84. Other	0	0	0	0	0	0	0	0	0	0	0	
85. Other	0	0	0	0	0	0	0	0	0	0	0	
86. Other	0	0	0	0	0	0	0	0	0	0	0	
87. Other	0	0	0	0	0	0	0	0	0	0	0	
88. Other	0	0	0	0	0	0	0	0	0	0	0	
89. Other	0	0	0	0	0	0	0	0	0	0	0	
90. Other	0	0	0	0	0	0	0	0	0	0	0	
91. Other	0	0	0	0	0	0	0	0	0	0	0	
92. Other	0	0	0	0	0	0	0	0	0	0	0	
93. Other	0	0	0	0	0	0	0	0	0	0	0	
94. Other	0	0	0	0	0	0	0	0	0	0	0	
95. Other	0	0	0	0	0	0	0	0	0	0	0	
96. Other	0	0	0	0	0	0	0	0	0	0	0	
97. Other	0	0	0	0	0	0	0	0	0	0	0	
98. Other	0	0	0	0	0	0	0	0	0	0	0	
99. Other	0	0	0	0	0	0	0	0	0	0	0	
100. Other	0	0	0	0	0	0	0	0	0	0	0	
Total	506	506	110	926	0	0	0	926	506	506	926	

LEGAL ACTIVITIES
Salaries and expenses - General Legal Activities
Financial Analysis - Program Changes
(Dollars in thousands)

	Solicitor Gen.		Tax Division		Criminal Div.		Civil Division		Env. & Nat. Res. Div.	
	Pos.	Amount	Pos.	Amount	Pos.	Amount	Pos.	Amount	Pos.	Amount
Grades and salary ranges										
GS/GM-13.....	...	...	...	...	...	...	...	...	...	...
GS-11.....	...	...	...	...	...	...	...	...	...	...
GS-9.....	...	...	...	...	...	...	...	...	...	...
Total, approx. positions.....	0	0	0	0	9	316	0	0	0	0
Lapses.....	2	184	11	808	(4)	(158)	...	...	...	...
Other personnel compensation.....	...	...	...	...	...	...	...	655	...	...
Total, workyears and pers. compensation.....	2	184	11	808	5	158	...	655	...	...
Personnel benefits.....	...	41	...	174	...	49	...	...	...	...
Travel and transportation of persons.....	...	...	...	...	...	808	...	...	...	...
Transportation of things.....	...	...	...	92	...	120	...	...	...	...
GSA rent.....	...	...	...	25	...	46	...	...	...	...
Communications, utilities, and other rent.....	...	...	...	...	...	27	...	...	...	...
Printing and reproduction.....	...	...	...	...	...	70	...	...	...	...
Other services.....	...	...	...	68	...	1,717	...	2,717	...	3,086
Supplies and materials.....	...	...	...	7	...	187	...	...	...	...
Equipment.....	...	...	...	2	...	325	...	...	...	...
Total obligations.....	2	225	11	1,176	5	3,508	0	3,372	0	3,086

LEGAL ACTIVITIES
Salaries and expenses, General Legal Activities
Financial Analysis - Program Changes
(Dollars in thousands)

	Legal Counsel		Civil Rights Division		INTERPOL-USNCB		LA Off. Automation		Total GLA	
	Pos.	Amount	Pos.	Amount	Pos.	Amount	Pos.	Amount	Pos.	Amount
Grades and salary ranges										
GS/GM-13	3	166	...	...	...	...	3	166
GS-11	4	160
GS-9	5	166
Total, approp. positions	0	0	3	166	0	0	0	0	12	491
Lapses	(1)	(62)	...	...	...	...	8	752
Other personnel compensation	...	20	...	...	...	...	...	...	0	675
Total, workyears and pers. compensation	...	20	2	83	...	...	...	...	20	1,908
Personnel benefits	28	...	...	...	...	0	289
Travel and transportation of persons	...	10	...	472	...	...	...	...	0	1,291
Transportation of things	0	212
GSA rent	369	...	...	...	...	0	440
Communications, utilities, and other rent	...	20	...	416	...	...	...	...	0	462
Printing and reproduction	...	10	...	232	...	...	...	...	0	312
Other services	...	10	...	1,566	...	72	...	...	0	9,225
Supplies and materials	...	10	...	90	...	...	...	...	0	294
Equipment	...	18	...	153	...	...	...	...	0	496
Total obligations	0	96	2	3,995	0	72	0	0	20	14,928

Legal Activities
Salaries and expenses, General Legal Activities
Justification of Adjustments to Base
(Dollars in thousands)

Amount

Base Adjustments:1. Transfer of Resources for Mail Management Services.....

This redistribution is necessary in order to align base funding according to the allocation that is being used to distribute the 1996 Mail Management Service overhead costs. The funds to be redistributed will be based on the FY 1995 survey of mail volume, since this represents the most current information available. This redistribution transfers an additional \$154,000 into GLA. The transfer is distributed as follows: the Office of Solicitor General (\$22,523); Tax Division \$4,504; Criminal Division (\$15,588); Civil Division \$75,572; Environment and Natural Resources Division \$42,333; the Office of Legal Counsel \$10,979; Civil Rights Division \$47,061.

154

2. Financial Operations Systems Reallocation.....

This redistribution is necessary in order to more accurately align the GLA base funding with the estimated 1996 Working Capital Fund Financial Operations and Systems (FOS) charges. Funding will be transferred from the Criminal Division (\$8,026), the Civil Rights Division (\$126,875), and the Tax Division (\$34,292). The Civil Division will receive an additional \$152,274, and the Environment and Natural Resources Division will receive an additional \$16,919, since both of these components would otherwise experience greater funding shortfalls

0

Net Base Adjustments.....

154

Increases:

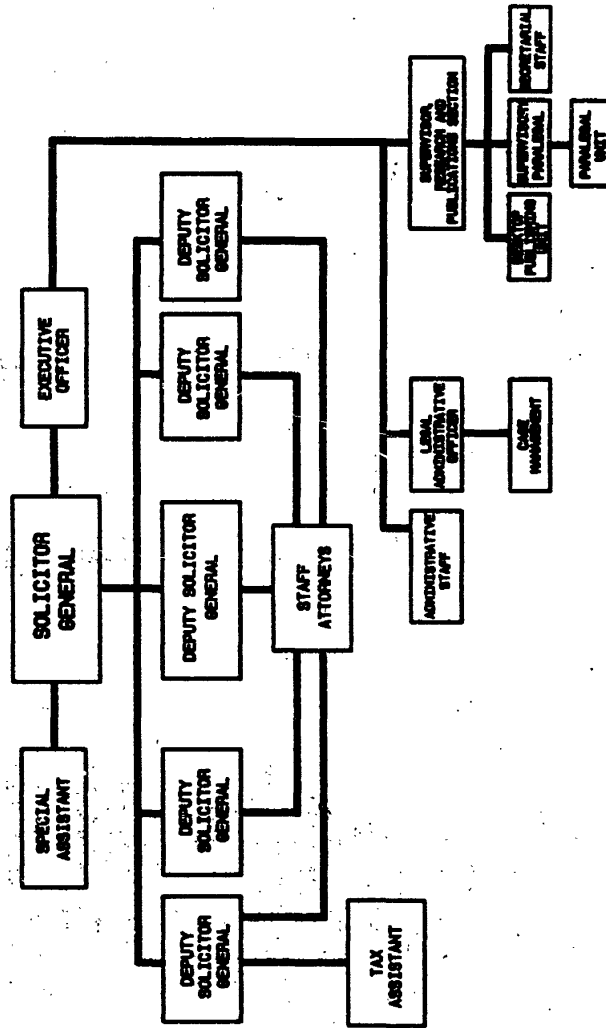
1.	1997 pay raise and locality pay adjustment..... This request provides for the proposed 3.0 percent pay raise and locality pay adjustment to be effective in January of 1997 and is consistent with Administrative policy included in the 1997 President's budget request. The amount requested represents the pay amounts for three-quarters of the fiscal year plus appropriate benefits.	5,716
2.	Annualization and increase of 1996 pay raises..... This pay annualization represents first quarter amounts (October through December) of the 1996 pay increase of 2.4 percent, plus appropriate personnel benefits and the additional amount required above the 2.2 percent originally requested for the three-quarters of the year.	1,963
3.	Annualization of 1996 locality pay adjustment..... This adjustment represents the 1st quarter amounts of the locality pay increase received January 1996, plus appropriate personnel benefits.	766
4.	Within-grade increases..... This request provides for the expected increase in costs of within-grade increases. This increase is based on an accurate, dynamic model of the Department's employee population which includes numerous factors such as anticipated pay raises, adjustments to include three-year attrition/separation rates, and career ladder series to reflect promotion policy for each organization.	2,809
5.	Accident Compensation..... This increase reflects the billing provided by the Department of Labor (DOL) for the actual costs in 1995 of employees' accident compensation.	178

6.	Travel-mileage allowance rate increase..... The mileage allowance rate has increased from 25 to 30 cents per mile. An increase is requested in 1997 to cover this rate adjustment.	26
7.	General Services Administration (GSA) rent..... GSA will continue to charge rental rates that approximate those charged to commercial tenants for equivalent space and related services. The requested increase is required to meet our commitment to GSA. The costs associated with GSA rent were derived through the use of the automated system, which uses the latest inventory data and GSA-provided 1996 rates.	7,579
8.	Increase in Litigation Support Contract..... The Secretary of Labor is reviewing the Department's payments of health and welfare fringe benefits for service contracts. We anticipate that the fringe benefit rate will be increased from \$0.90 per hour (an increase of \$1.60 per hour).	797
9.	General pricing level adjustments..... This request applies OMB pricing guidance as of June 11, 1995, to selected expense categories. The increased costs identified result from applying a factor of 2.7 percent against those subject classes where the prices that the Government pays are established through the market system instead of by law or regulation. Generally, the factor is applied to supplies, materials, equipment, contracts with the private sector, printing costs, transportation costs, and utilities.	1,106
10.	INTERPOL - USMCA Dues..... INTERPOL - USMCA is obligated to pay 102 budget units of dues on an annual basis. INTERPOL has implemented a plan to switch the currency of payments from Swiss francs to French francs, and raise dues for the member countries. The 1997 budget request is the first budget year in which the USMCA could incorporate these increases.	326
	Total increases.....	21,266
	Net adjustments to base.....	21,420

Legal Activities
Salaries and Expenses, General Legal Activities
Summary of Requirements by Grade and Object Class
(Column in thousands)

Object Class	1985 Actual Workyears	1985 Actual Amount	1985 Estimate Workyears	1985 Estimate Amount	1987 Request Workyears	1987 Request Amount	Inst/Out Workyears	Inst/Out Amount
Personal expenses:								
11.1 Permanent position.....	3,220	186,382	3,220	189,464	3,310	210,772	20	11,208
11.2 Position after first permanent.....	211	16,184	220	16,927	220	16,927	0	433
11.3 Other permanent employment.....	118	3,215	20	5,227	20	5,227	0	37
11.9 Special personal services payments.....	0	2,892	0	2,223	0	2,223	0	725
Sub-total, personal expenses.....	3,468	208,681	3,220	214,191	3,550	235,704	20	12,513
Reimbursable workyears:								
Full-time permanent.....	[316]		[306]		[306]		[6]	
Non-personal expenses:								
12 Reimbursed benefits.....	43,578	43,578		44,723		46,228		3,852
13 Benefits for family members.....	1,291	1,291		1,291		1,291		1,121
21 Travel and transportation of persons.....	14,871	14,871		15,321		16,263		1,191
22 Transportation of things.....	2,223	2,223		2,223		2,223		128
23.1 Standard level user charges.....	41,762	41,762		42,188		42,088		7,949
23.2 Rental payments to others.....	342	342		344		271		7
23.3 Communications, utilities and other rent.....	11,848	11,848		12,220		12,793		235
24 Printing and reproduction.....	2,741	2,741		2,880		3,179		188
25.1 Advisory and assistance services.....	1,284	1,284		1,186		1,280		82
25.2 Other services.....	89,274	89,274		48,008		67,039		6,391
25.3 Purchase of goods & services from Gov't and	1,284	1,284		1,284		1,284		82
25.7 Operation and maintenance of equipment.....	6,326	6,326		6,374		6,446		1,022
26 Supplies and materials.....	5,474	5,474		5,728		5,728		1,468
31 Equipment.....	11,481	11,481		11,819		12,413		2,668
41 Grants, subsidies and contributions.....	1,280	1,280		1,481		1,685		63,489
42 Insurance, claims and indemnities.....	11	11		17		1,787		289
Total obligations.....	411,287	411,287		416,429		460,277		33,948
Unobligated balance, start-of-year.....								
Unobligated balance, transferred.....	6,289	6,289		(6,465)		(7,841)		
Unobligated balance, end-of-year.....	6,488	6,488		7,841		7,841		
Unobligated balance expiring.....	6,488	6,488		7,841		7,841		
Total requirements.....	418,776	418,776		418,882		468,277		
Rebates of obligations to colleges:								
Total obligations.....	411,287	411,287		416,429		460,277		
Unobligated balance, start-of-year.....	31,228	31,228		16,888		43,888		
Unobligated balance, end-of-year.....	(16,888)	(16,888)		(43,888)		(94,151)		
Agreements to expend accounts.....	0	0		385,325		460,277		
Colleges.....	438,074	438,074		385,325		460,277		

OFFICE OF THE SOLICITOR GENERAL



Approved: *[Signature]* Date: May 12, 1995
 JAMES H. HARRIS
 Attorney General

A1

Office of the Auditor General
 Bureau of the Auditor General
 Council of the Treasury
 (Office of the Auditor General)

	1994 President's		Congressional		1994 Appropriations		1994 Appropriations	
	Actual	Estimate	Actual	Estimate	Actual	Estimate	Actual	Estimate
Initiation of Proceedings	40	32	54,185	...	(7)	(225)	...	...
Proceedings and review of appellate matters	...	...	...	...	...	...	...	...
Conference action denied 2 matters and \$225,000 in adjustments to base requested.								

Office of the Solicitor General
 Salaries and Expenses, General Land Activities
 (Amounts in thousands)

Item	Federal Appliance Activity	
	Personnel	Amount
Salaries	2	106
Personnel expenses	...	...
Total personnel and annual rates	...	106
Other, than personnel	...	...
Total salaries and personnel	2	106
Commodities	1	41
Travel and transportation	...	...
Telephone	...	...
Other rent	...	...
Other expenses	...	...
Supplies and materials	...	...
Equipment	...	...
Total program salaries and obligations charges requested, 1997	2	229

Office of the Auditor General
 Finance and Revenue
 Budget of Government Expenditures for Community
 Fiscal Years 1998 - 1999

Category	1998		1999	
	Total	Authorized	Total	Authorized
Attorneys (983).....	21	21	22	22
Paralegal Specialists (987).....	6	6	6	6
Other Legal and Related (988-989).....	4	4	4	4
Accounting and Budget (990-997).....	1	1	1	1
Gen. Admin., Clerical and Office Bns. (998-999).....	15	15	15	15
Total.....	47	47	48	48
Washington.....	47	47	48	48

1998 has been computed from 1997 reductions.

Office of the Solicitor General
 Salaries and Expenses
 Summary of Attorney and Support Positions/Positions
 FY 1996 - 1997

Position Unit	1996 Appropriation Anticipated			1997 Increase			1997 Request Level		
	Attorneys Pos.	Support Pos. FTE	Total Pos. FTE	Attorneys Pos.	Support Pos. FTE	Total Pos. FTE	Attorneys Pos.	Support Pos. FTE	Total Pos. FTE
Federal Appellate Activity	22	26	48	22	26	48	22	26	48
Total	22	26	48	22	26	48	22	26	48

Office of the Auditor General
 Salary and expense
 Summary of requirements by grade and object class
 Dollars in thousands

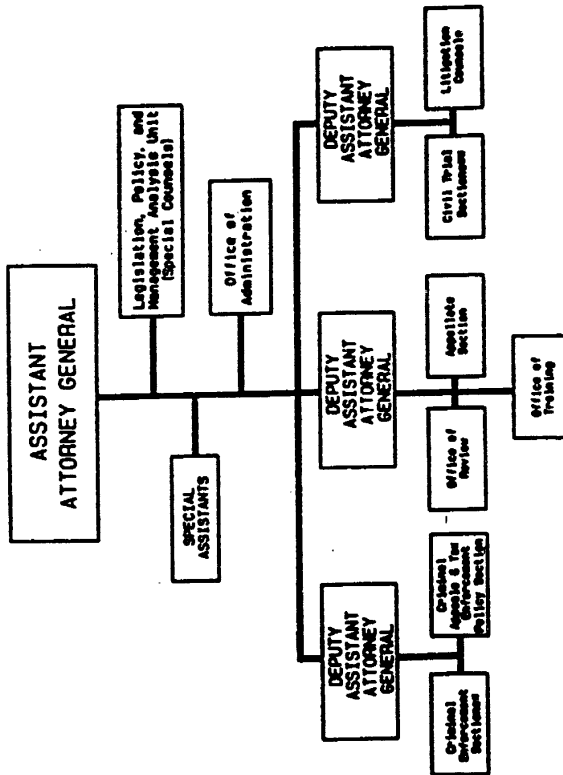
Grade and salary range	2003 Planned		2006 Available		2007 Available		2008 Available	
	Positions & Mechanics	Amount	Positions & Mechanics	Amount	Positions & Mechanics	Amount	Positions & Mechanics	Amount
Executive Level III	1	825,100						
ES-4	1	815,700						
ES-5	1	815,700						
ES-6	1	815,700						
ES-7	1	815,700						
ES-8	1	815,700						
ES-9	1	815,700						
ES-10	1	815,700						
ES-11	1	815,700						
ES-12	1	815,700						
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ES-211	1	815,700						
ES-212	1							

TAX DIVISION
Salaries and Expenses, General Legal Activities
Estimates for 1997

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TAX DIVISION



Approved: *[Signature]* Date: *12/18/88*
 JAMES R. HARRIS
 Attorney General

B-1

**The Division
of Science and Technology, General Land Activities
Committee of 1993 Changes
(Dollars in thousands)**

Activity: The	1996 President's Budget Request		Congressional Appropriation Action on 1996 Request		Reprogramming		1996 Appropriation Amount	
	En.	NY	En.	NY	En.	NY	En.	NY
Federal Agency	85	75	85	(113)	85	74	85	74
Civilian Personnel	177	117	177	(499)	177	115	177	115
Civilian Equipment	345	327	345	(677)	345	321	345	321
Management and Administration	52	52	52	289	52	52	52	52
Total	649	614	649	(11)	649	603	649	603

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Changes to the 1996 President's budget request reflect the level of funding provided in the 1996 Conference Report (H.R. Conf. Rep. No. 104-378, 104th Cong., 1st Sess. (1995)).

001596
B-2

FILE: CROSS

Tax Division
Revenues and Expenses, General Fund Activities
Estimated Revenues, Summary of Expenditures
(Dollars in thousands)

	1995 Actual			1996 Estimate			1997 Request			Increase/Decrease	
	FY	MT	Actual	FY	MT	Estimate	FY	MT	Request	FY	MT
Operating Revenues	14	10	\$1,281	14	12	\$1,227	14	12	\$1,267	-	140
Operating Other & Drug Enforcement	-	-	25	-	-	500	-	-	-	-	(500)
9% Debt Collection Fund - U/	-	-	21	-	-	21	-	-	21	-	-
United States Attorney	-	-	-	-	-	-	-	-	-	-	-
Interest Revenue Services	-	-	91	-	-	150	-	-	150	-	-
Discretionary Revenues	14	10	\$1,418	14	12	\$1,798	14	12	\$1,408	-	(340)

U/ Prior to year end during the Division estimated and reported savings of \$25,000 in 1995 against the Three Percent Debt Collection Fund. These savings were not realized and are now incorporated into the 1996 estimate.

FILE: KEDAMORA

04/07/96
B-5

TAX DIVISION
Salaries and Expenses, General Legal Activities
Estimate for 1977

MISSION AND GOALS

The primary mission of the Tax Division is to enforce the country's tax laws in federal and state courts and thereby generate revenue for the Federal Government. The Division's tax enforcement has a two-pronged mission: (1) to clear specific taxpayers from conduct that drains the Federal fisc, and (2) to deter the taxpaying public at large through successful general deterrence. By judiciously allocating its resources between specific and general deterrence, the tax enforcement litigation conducted by Division attorneys ensures that the nation's internal revenue laws are fairly and uniformly applied and that the public complies with the nation's tax laws. The most significant result of the Division's efforts is obtained every time the Federal Treasury collects a tax that has been correctly and justly imposed and every time it avoids making an erroneous refund. In this way, the Tax Division's accomplishments contribute significantly and directly to efforts by the Administration and Congress to reduce the Federal budget deficit. The goals of the Tax Division are:

1. To promote the fair, correct, and uniform enforcement of the Federal tax laws in the nation's trial and appellate courts;
2. To foster the public's voluntary compliance with the tax laws through vigorous criminal prosecution of individual and corporate taxpayers that violate Federal tax laws;
3. To enhance collection by the U.S. Treasury of tax debts;
4. To assist in the development of Federal tax policy by (i) analyzing proposed legislation that affects civil litigation, appeals, and criminal prosecutions arising under the Internal Revenue Code and (ii) maintaining high quality relationships with the Internal Revenue Service, the Department of the Treasury, and components within the Department of Justice, including the United States Attorney's Offices; and
5. To manage the Division efficiently and effectively.

TAX DIVISION
Salaries and Expenses, General Legal Activities
(Dollars in thousands)

JUSTIFICATION OF PROGRAM AND PERFORMANCE

FEDERAL APPEALS

	Petitions	FTE	Amount
1996 Appropriation Anticipated	85	74	\$7,101
1997 Base	85	74	7,446
1997 Estimate	85	78	7,874
Increase/Decrease		4	\$ 428

BASE PROGRAM DESCRIPTION: Tax Division lawyers working in the Appellate Section litigate Federal civil tax cases appealed to the United States courts of appeals and state appellate courts. They also draft pleadings and briefs filed by the Solicitor General in the United States Supreme Court and make recommendations to the Solicitor General regarding the advisability of filing. (i) appeals in civil tax cases where the Federal Government did not prevail before the district courts, the Court of Federal Claims, the Tax Court, and state courts, and (ii) petitions for certiorari in civil tax cases where the Federal Government did not prevail in an appellate forum. In addition, attorneys in this section handle appeals generated in Freedom of Information Act and Privacy Act cases, civil tort suits that involve IRS officials and employees, and cases involving inter-governmental immunity. They prepare *amicus curiae* briefs filed by the United States in private lawsuits that present issues affecting the interests of the IRS and in other cases where a court invites the Government to state its views on civil tax-related questions.

Case examples illustrate in substantive and tangible terms the nature of the work, its specific and general deterrent value, and its effects on revenues. In each of the cases described below, attorneys from the Tax Division's Appellate Section played a critical role by briefing and/or arguing civil tax issues that have a significant impact on the public fisc.

Specific Deterrence

- In *Texas Farm Bureau v. United States*, the Fifth Circuit reversed the unfavorable judgment entered by the District Court on a jury verdict. The principal issue was whether payments received by Texas Farm Bureau, a tax-exempt organization, from two partially-owned insurance companies were tax-exempt royalties or were instead taxable compensation received for Texas Farm Bureau's promotion and sponsoring of the insurance companies to its membership. The court's decision in this case, holding that the payments were taxable, saved the government approximately \$3.6 million.
- In *Alfred-Signal, Inc. v. Commissioner*, the Third Circuit denied the taxpayer a deduction for \$8 million paid in 1977 to the Virginia Environmental Endowment Fund. The taxpayer claimed the \$8 million was deductible as an ordinary and necessary business expense, rather than a nondeductible "fine or similar penalty" under IRC Section 162(f).

General Deterrence

- In *American Mutual Life Insurance Co. v. United States*, where an industry-wide issue of first impression with approximately \$4 billion in revenue through the end of 1993 was at stake, the Eighth Circuit endorsed the Government's interpretation of the method used to determine the taxation of mutual life insurance companies under Section 809 of the Internal Revenue Code. Section 809, which was enacted as part of the Deficit Reduction Act of 1984, reduces the deductions available to mutual companies from the payment of dividends to their policyholders through a complicated formula that involves a comparison between the earnings rates of the stock and mutual life insurance companies.
- In *National Commodity and Barter Association v. United States*, the plaintiff sought to recover over \$2 million applied against civil tax penalties assessed against it for failing to file partnership returns and promoting abusive tax shelter plans. NCBA is an organization headquartered in Colorado that sold a manual for conducting frivolous tax protest litigation and operated a "warehouse bank" that kept no records of the customers' banking transactions. In November 1994, the Tenth Circuit dismissed this tax refund suit.
- In *United States v. Marc D. Hachtman, et al.* (9th Cir. 1995), the Court of Appeals upheld enforcement of an IRS summons. In this case, a law firm filed incomplete IRS Forms 8100 indicating that it had received cash payments of more than \$10,000 from clients, but failed to disclose identifying information regarding the transactions, as required by Section 6050J. The Court of Appeals sustained the district court's ruling that the IRS was not required to follow the "John Doe" summons procedures in

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serving its summons, based on its determination that it was conducting a legitimate investigation of the law firm's compliance with the law. The court further concluded that the district court did not err in finding that the attorney failed to establish that disclosure of the identities of his clients would be tantamount to revealing a confidential communication protected by the attorney-client privilege, and that the attorney could not rely upon his own privilege against self-incrimination to avoid producing records belonging to the law firm. The defendant has requested a rehearing *en banc*. Recently, in *United States v. Nancy Gerner, et al.*, the First Circuit affirmed a district court's finding that the Government was required to comply with the "John Doe" summons procedures in setting client-identifying information with respect to cash payments made to a law firm. Enforcement of the cash reporting requirements contained in Section 6050I is a matter of great importance to the IRS, and the Division continues to litigate to clarify the law in this area.

PERFORMANCE MEASUREMENT TABLE: PRESENTED BY DECISION UNIT

NAME OF DECISION UNIT: Federal Appeals		PERFORMANCE TARGETS AND ACTUAL RESULTS						
PERFORMANCE INDICATOR INFORMATION								
Type of Indicator	Performance Indicators	1993 Actual	1994 Actual	1995 Actual	1995 Target	1995 Estimate	1997 Target	
Output/Activity	1. Percent of appellate briefs submitted for filing within court deadline (initial and amended)	Not Avail.	Not Avail.	99%	99%	99%	99%	
Intermediate Outcomes	2. Percent of taxpayer appeals won, at least in part, by the Government	92%	91%	90%	—	—	—	
	3. Percent of Government appeals and cross-appeals in which at least part of the relief sought is awarded	70%	61%	62%	—	—	—	
Productivity/Efficiency	4. Number of briefs, reply briefs, petitions for rehearing etc., filed per attorney each year	14.6	18.7	19.5	19 +/-.5	19 +/-.5	19 +/-.5	
A. Definitions of Terms or Specifications for Indicators:								
These performance indicators reflect the general goals of the Tax Division's Appellate Section. Because the bulk of the work consists of representing the Government in tax appeals, performance measures #2 and #3 are indicators of our success in protecting the government, in achieving fair results, and in preserving our reputation for just and effective advocacy in the courts.								

<p>B. Factors Affecting FY 96 Program Performance</p>	<p>As the late spring FY 96 decreased in FY 1995, the level of production per late spring wheat harvest. It is now anticipated that production levels will remain relatively constant. Productivity is a quality one greatly affected by the resources available to the Argentine farmers; the quality of wheat could be relatively affected as resources change to handle increased yields. Other factors that affect the workload of the Argentine farmers include the administrative actions, such as irrigation subsidies, the type and amount of debt and operating expenses brought by taxpayers and others under the National Revenue Code, and the maintenance of big debts affecting tax laws and the legislation relating to other laws.</p> <p>The percent of taxpayer reports sent and government reports and other reports was expected to be no longer with limited funds. The Argentine farmers will report the wheat production, as in indicators T2 and T3, but will not be enough. By doing so, the Argentine farmers will reduce the value that returns to not return if placed in the system of long term goals of balance and redundancy.</p>
<p>C. Factors Affecting Schedule of FY 96 and FY 97 T1</p>	<p>The Tax Division is in the process of redesigning its own management and system. By FY 1996, it is anticipated that all Federal Agency activities will be automated. A related management system may a new system in place in the very same activities are anticipated.</p>

Program is currently being reviewed by the Department of the Treasury and the Department of the Interior. The Department of the Treasury is currently reviewing the program.

CRIMINAL PROSECUTION

	Expenditures	FTE	Amount
1996 Appropriation Anticipated	127	115	\$12,767
1997 Base	127	115	13,342
1997 Estimate	127	122	15,028
Increase/Decrease		7	\$ 748

BASE PROGRAM DESCRIPTION: Attorneys in the Tax Division's four Criminal Enforcement Sections investigate and prosecute individuals, corporations, nonprofit organizations, and other taxpayers that attempt to commit tax evasion, willfully fail to file tax returns, file false tax returns, and otherwise intentionally attempt to evade their obligations under the Federal tax laws. They also investigate and prosecute tax violations occurring in the context of other criminal conduct such as financial institution fraud, narcotics trafficking, bankruptcy fraud, health care fraud, organized crime, public corruption, motor fuels and other excise tax fraud, and domestic and international tax conspiracies. The Division seeks to promote a balanced program of criminal tax enforcement by investigating criminal conduct nationwide in a variety of industry and occupational market segments.

The Criminal Enforcement Sections receive IRS requests to initiate grand jury investigations and requests to prosecute taxpayers identified by the IRS as a result of its own administrative investigations. Tax Division prosecutors review and screen these referrals to ensure that uniform standards of prosecution are employed and that all criminal tax violations warranting prosecution are, in fact, prosecuted. This review of criminal tax cases by Criminal Enforcement attorneys contributes to the high overall quality of criminal tax prosecutions and results in better than a 95 percent conviction rate, essential to deter taxpayer fraud. After the Tax Division authorizes tax charges that can be brought against a taxpayer, prosecutions are handled either by the U.S. Attorneys or in complex and significant cases (or cases in which the U.S. Attorney requests assistance), by Tax Division Criminal Enforcement attorneys. Tax Division attorneys also provide legal advice to the U.S. Attorneys' Offices on a wide range of issues and monitor the status of criminal tax cases pending on U.S. Attorneys' dockets.

In 1995, the Tax Division launched an initiative to increase the number of legal source income tax cases (including tax protester cases) prosecuted by the Government. These cases are the core of the Tax Division's criminal prosecution mission and because they can involve tedious issues of law and complex methods of proof, such as net worth and bank deposits demonstrations well

the special staff that Tax Division prosecutors bring to the effort to stem white collar crime. The objectives of this initiative include (1) increasing the identification, investigation, and prosecution of legal source income tax prosecutions brought each year; (2) developing a systematic approach for handling criminal prosecutions of organized tax protest groups and to provide training so that these prosecutions are handled efficiently and effectively; (3) coordinating efforts by the Justice Department, including U.S. Attorneys, and the Criminal Investigation (CID) and Examination Divisions of the IRS on traditional tax cases, i.e., cases that will reduce the growing tax gap; (4) reducing the number of pending legal source income tax cases in U.S. Attorney's Offices; and (5) supporting efforts by IRS Divisions (Examination, Collection, and Criminal Investigation) to improve the quality and quantity of case referrals that IRS revenue agents make to criminal investigators.

Briefly, the voluntary income tax system loses billions of dollars annually in uncollected tax revenues, i.e., the "tax gap." The imperative to close the gap is self-evident. In order to close this gap and increase revenues, the IRS and the Justice Department have launched an effort to reinvigorate the Government's tax enforcement program.

- The annual legal income source tax gap stands at approximately \$125-175 billion.
- In 1993, there were more than ten million nonfilers.
- The number of "pure" tax prosecutions -- those without other crimes charged -- has actually declined over the last five years, but the number of tax returns being filed has increased dramatically.

The public's confidence in the fairness and integrity of the income tax system is critical if the Government is to retain its ability to fund its operations through a voluntary tax system.

Together, the Tax Division and the IRS have established a working group to supervise this initiative composed of the Tax Division's Deputy Assistant Attorney General (Criminal), the IRS Assistant Commissioner for Criminal Investigation, the Assistant Chief Counsel (Criminal Tax), and representatives of the Attorney General's Advisory Committee of United States Attorneys. CID reports that it is committed to increasing the amount of direct investigative time devoted to legal source income Tax Gap cases by two percent each year starting in 1995. The Tax Division expects that this effort, combined with other aspects of the Tax Gap project it is well underway will generate a significant number of new legal source income tax prosecutions. While Tax Gap cases may not generate significant national media attention, these prosecutions receive first page newspaper coverage in local communities across

the country and serve to remind ordinary taxpayers of the terrible price paid by those who choose to cheat on their taxes. These are the cases where maximum deterrence occurs.

The another important aspect of the Tax Gap project focuses on tax protesters. There are the cases that involve traditional illegal tax protester schemes such as claims that the income tax is unconstitutional, the taping of so-called "voices of poverty," and the harassment of IRS employees.¹ While at first glance there might appear to be no direct link between tax protester activity and domestic terrorism, the experience of the IRS and the Tax Division is that many of the individuals associated with the type of violent domestic militia, which have become the focus of public attention since the bombing in Oklahoma City, also espouse tax protester rhetoric and some have a history of making violent threats against the IRS.²

In the mid-1980s, the IRS started to experience an increasing number of investigations of tax protesters affiliated with organized groups. This trend appeared to peak in 1991, and subsequently the number of new investigations initiated by CID started to decline. In the last year, however, the Service's open inventory of these cases has started to increase again and there is every reason to believe that this is not an anomaly. Tax protester cases arising out of the conduct of individual defendants (rather than protester organizations) are particularly burdensome to the IRS and the Tax Division. These cases often involve parallel civil and criminal proceedings,³ the individual protesters are not usually in high income brackets, the tax loss as a result of protester conduct is usually

¹The IRS uses the terminology "illegal" tax protesters to distinguish individuals who commit tax crimes and declare themselves to be "tax protesters" outside the revenue system from those individuals who are merely exercising their First Amendment rights to oppose tax policies while otherwise obeying the tax laws.

²See, e.g., "Militias are Joining Jury-Power Activists to Fight Government," Tax Protesters, *Survivalists Benefit from Message About Can Ignite Law*, *Wall Street Journal*, May 23, 1995 at A1. Moreover, according to data provided by the Treasury Department, in 1994 there were 590 investigations of threats and assaults against IRS employees. The IRS Inspection Division provided 99 armed protective escorts for IRS employees and CID expended 2,800 staff days for protective escorts.

³For example, in addition to the criminal proceedings against James L. Nader and his co-defendants discussed in the case examples below, the Tax Division has identified 50 cases in the federal and state courts arising out of the Nader's tax protest activities, 12 of which were heard by the Eighth Circuit Court of Appeals, 21 of which were heard in the United States District Courts, seven of which were in the Tax Court, and six of which were in state courts. Among the myriad cases of action stated were: injunction actions, actions to quiet title, fraudulent conveyances actions, wrongful levy actions, wrongful disclosures and abusive actions, and IRC Sec. 6109 penalty actions. See, e.g., *Nader v. United States*, 998 F.2d 1018 (8th Cir. 1993) (unpublished, full-text opinion reported at 1993 U.S. App. LEXIS 17480); *BBCI Inc. (d/b/a One's Helping Hand) v.*

lower than the average of prosecutions brought, proving witless can be a problem, and these cases frequently lack jury appeal. These are some of the reasons why United States Attorneys often ask the Tax Division to supply prosecutors for these cases. Moreover, these cases are always extremely resource-intensive. The IRS finds that they cannot be worked administratively and prefers grand jury investigations. Once indicted, this type of defendant almost always refuses to plea bargain and chooses to go to trial — engaging in lengthy and tedious motions practice at every opportunity. The Tax Division has perfected the art form of trying these cases to a successful conclusion.

Following are several illustrations of the recent accomplishments of the Tax Division's Criminal Enforcement attorneys. Examples are drawn from cases that comprise the Division's core criminal prosecutorial mission, i.e., Tax Gap project cases where the tax crime involves income from a legal source — such as the bank president who engages in self-dealing, the restaurateur who claims from the cash register, or the doctor who keeps two sets of bookkeeping records; tax protester prosecutions; and cases where the source of the tax charges arises out of conduct that was otherwise criminal, i.e., illegal source income prosecutions. Also highlighted is the participation by Tax Division prosecutors in international tax treaty matters that permit the Department to have access to evidence in foreign jurisdictions of tax and other financial crimes.

Tax Gap Cases: Legal Source Income Prosecutions

● In *United States v. Julius Klausner* (S.D.N.Y.), the jury convicted Klausner, a successful Scarsdale, New York, CPA and tax return preparer, of all counts contained in a 27 count indictment: four counts of attempted evasion of his individual income taxes for the years 1986 through 1989; four counts of failure to file his returns for the same years; and 19 counts of aiding and assisting the filing of fraudulent tax returns for his accounting clients. In recent years, Klausner had as many as 1,700 clients, many of whom were police officers and fire fighters. The returns he prepared for his clients included grossly inflated deductions for charity and business expenses. Klausner also failed to file his own returns or pay his income taxes for the prosecution years, despite owing approximately \$700,000 during this period from his thriving accounting practice. During the years in question, Klausner paid little if any income taxes notwithstanding that he owed over \$180,000 to the Service. In July 1993, Klausner was sentenced to serve 33 months in prison and fined approximately \$124,000.

United States, 944 F.2d 1429 (8th Cir.), cert. denied, 113 S. Ct. 192 (1993); *Klausner v. United States*, 489 F. Supp. 917 (D. Minn. 1980), aff'd without published op., 889 F.2d 1091 (8th Cir. 1993), cert. denied, 494 U.S. 1027 (1990); *Perot American Bank of St. Cloud v. Klausner*, Civ. No. CX-90-57 Dist. Ct., St. Cloud, Minn. (final order entered Feb. 1993).

- In *United States v. Vincent Vertuccio* (E.D.N.Y.), the jury convicted Vertuccio of evading approximately \$530,000 in personal income taxes for the years 1988 through 1991 and filing false partnership returns for 1988 through 1990. Vertuccio is a part owner of American Paper Fibers Co., a waste recycling company in Brooklyn, New York. Between 1988 and 1990, he instructed a customer to pay American Paper Fibers Co. in checks under \$10,000. During that time, he structured \$1.5 million in cash transactions at a check cashing location in New Jersey. In 1991, he cashed \$350,000 in checks he wrote to various payees, forged their endorsements, and negotiated the checks at a check cashing location in Brooklyn. None of the cash was reported as gross receipts on the partnership tax returns of American Paper Fibers, nor was it reported as taxable income on Vertuccio's personal returns. In June 1995, Vertuccio was sentenced to serve 18 months in prison.

- In *United States v. Joseph R. Ivison* (N.D. Ohio), Ivison, the former owner of Joe Ivison Chevrolet of Lima, Ohio, pleaded guilty to a one-count information charging him with attempting to evade his 1987 taxes. Pursuant to the plea agreement, Ivison admitted that he received \$224,830 in unreported income from 1984 through 1990. Ivison also admitted that he understated his Federal taxes by \$81,355 during that time. Ivison earned the unreported income from four sources: kickbacks paid for insurance sold through Ivison's automobile dealership, kickbacks paid for extended warranties sold through his dealership, vending machine commissions, and incentive payments for conversion van sales. In April 1995, the court sentenced Ivison to six months incarceration.

- In *United States v. Arlin Raney* (W.D. Va.), a jury in Harrisonburg, Virginia, convicted Raney of tax evasion for the years 1987 through 1989 and making a false statement in connection with the \$1.9 million sale of real property in 1986. Raney owns and operates the New Market Airport, and his net worth was estimated to exceed \$3 million. During the years at issue, he failed to pay more than \$450,000 in taxes. Moreover, when he was confronted with his failure to pay taxes on the property sale in 1986, he tried to convince the IRS revenue agent that he did not need to report the transaction as it was a "like kind" exchange. In May 1995, Raney was sentenced to 18 months incarceration, fined \$100,000, and ordered to pay all back taxes.

Tax Protester Cases

- In *United States v. Phillip Marsh, et al.* (N.D. Cal.), a jury returned guilty verdicts in December 1995, against six of the seven defendants charged in a superseding indictment after a six-week trial. These six defendants were convicted of a *RICO* conspiracy, to wit a conspiracy to impair and impede the functioning of the IRS. Several defendants were also convicted on substantive tax charges and mail fraud charges. Defendants Phillip and Marlene Marsh originated a tax protest organization called "The Pilot Connection Society" (TPCS). The remaining defendants served TPCS as managers, coordinators, and/or administrators. Through TPCS, the defendants promised to "untax," permanently and legally, individuals and businesses who followed their

directions and the advice contained in the "Untax Packages," which was for sale to individuals who became members of TYPCS. Once "untaxed," members were told that they would thereafter have no legal obligation to keep records for income tax purposes, file tax returns, or pay any income tax. Members were told that IRS is not a government agency but is a private corporation organized under the law of the State of Delaware and further told that only non-resident aliens were legally required to pay Federal income taxes. From January 1990 through December 1993, the defendants raised in excess of \$3 million by the sale of the Untax Package and other credits.

- In *United States v. James L. Naishe, James M. Naishe, John R. Ellring, Isabelle M. Speth, Loren Scherping, Lawrence Scherping, and Doreine Weber* (D. Minn.), in November 1995, after two months of trial, a jury convicted six of seven defendants on multiple tax and money laundering charges. The principal defendants, James and Joan Naishe, who have long been active protesters in central Minnesota, were convicted on a Klein conspiracy to defraud, a conspiracy to evade payment of the income taxes of the Scherpings for 1979 through 1981, and a substantive evasion of payment charge regarding the Scherpings' taxes. Joan also was convicted on five counts of structuring financial transactions to avoid filing currency transaction reports. Ellring and Speth were convicted on the conspiracy to defraud, and the Scherpings were convicted on the conspiracy to evade payment of their taxes. Weber was acquitted. The total additional taxes due and owing by the Scherpings for the five years is approximately \$250,000. The Klein conspiracy was based on the concealment of taxpayer assets and income from the IRS through the use of multi-layered trust schemes and allegedly non-profit corporations. The Naises sold these trusts, claiming it was a legal means to avoid paying income taxes. The conspiracy to evade payment and substantive evasion of payment charges were based on the use of the multi-layered trust to conceal the Scherpings' assets from the IRS.

- In *United States v. Robert Clarkson, Herbert Fleischer, and Vernon Reibel* (W.D.N.C.), three tax protesters were convicted in October 1994 on a Klein conspiracy charge. They organized the Hickory Patriots, which advised incoming members to increase the number of allowances claimed by them on their Forms W-4 and to stop filing returns. Clarkson testified at trial that he last filed a Federal income tax return for 1978, and Fleischer testified that he last filed for 1986. Clarkson is a debarrated attorney who was convicted in 1978 of filing false claims for refund. Fleischer is a chiropractor who practices in Hickory, North Carolina. In January 1995, Clarkson was sentenced to 57 months in prison, and Fleischer was sentenced to 38 months in prison.

- In *United States v. Stuart Trichinsky and Cathie Schneider Trichinsky* (D. N.H.), these tax protesters were charged with evading approximately \$140,000 for the years 1986 through 1989. In this four-year period, they bought a lake front vacation home, took annual vacations in Jamaica, and spent \$350,000 (mostly in cash) to build a new home. In April 1995, a jury convicted

both defendants. Tax protester giant Irwin Schiff and other nationally known protesters testified on behalf of the defendants. In July 1995, both defendants were sentenced to serve 18 months in prison, each was fined \$5,000 and ordered to pay restitution to the IRS.

Tax Charges Arising from Illegal Source Income

- In the largest motor fuel excise tax fraud case brought to date -- involving over \$140 million in evaded taxes -- in August 1995, an indictment was unsealed in *United States v. Daniel Enright, Igor Erlikh, Aaron Minsler, Demetrios Karamenos, et al.* (D. N.J.). The indictment includes charges such as conspiracy to defraud the United States, conspiracy to commit tax evasion, wire fraud, money laundering, interfering with commerce by threats, and other offenses. The defendants are charged with operating two wholesale fuel distributionships that resulted in evasion of more than \$133 million in federal fuel excise taxes, \$11 million in New Jersey state fuel taxes between January 1990 and June 1993.

- In another motor fuel excise tax evasion conspiracy, *United States v. Joseph Reisch, et al.* (E.D.N.Y.), 15 defendants pled guilty to an indictment that charged a conspiracy to evade \$34 million in gasoline excise taxes over a three-year period. As of September 1995, nine defendants had been sentenced to prison terms that ranged from 30 to 60 months. The defendants included members of the Colombo and Lucchese organized crime families and the so-called "Russian Mob."

- In *United States v. John Brennick* (D. Mass.), the defendant operated a series of head injury treatment centers in Massachusetts, Pennsylvania, Delaware, and Maryland. Each was a sole proprietorship with its own Employer Identification Number, which Brennick obtained in violation of IRS regulations for the express purpose of dividing his payroll tax liabilities on the books of five IRS into many small amounts. In December 1995, Brennick was charged and convicted of nine counts of structuring, 19 counts of willful failure to account truthfully for and pay over his withholding taxes, and one count of corruptly endeavoring to impede and obstruct the IRS. The jury found that he used the IRS as a bank, taking the payroll taxes for his own use, and paying whenever he pleased. In 1992, for example, he reduced his payments dramatically and failed to pay more than \$1.4 million in withholding taxes for the second, third and fourth quarter of the year (even though he paid \$10 million in withholding taxes for the year). After an IRS collection agent put him on a payment schedule, the defendant started to bounce checks, causing the IRS to place liens on his assets and resulting in the defendant's bankruptcy. While the defendant was not paying his payroll taxes, he was structuring millions of dollars in currency out of his business by having his employees cash multiple checks in amounts under \$10,000 and then having them return the cash to him. In fact, the defendant testified at his bankruptcy hearing that he wasted the cash gambling at casinos.

• In *United States v. J.W. Trapp, et al.* (E.D. Okla.), a jury convicted the former sheriff of Choctaw County, Oklahoma, of racketeering involving his solicitation and acceptance of bribes from local marijuana growers, methamphetamine dealers, gamblers, and bootleggers from 1982-1995 while in office. Trapp was indicted with four co-defendants in a 10 count indictment that charged a drug conspiracy, tax offenses, and related charges. Trapp was convicted following a jury trial. One defendant pled guilty to a tax felony, one defendant is a fugitive, and two other defendants pled guilty and cooperated with the Government. In a related case, *United States v. Jeff Perno, et al.*, four defendants were indicted for a complex conspiracy – that included substantive tax charges – for operating a nightclub that was the setting for an extensive gambling operation, drug use and illegal drinking. The defendants paid the sheriff in order to be able to operate the club without local law enforcement interference. The two investigations produced forfeitures in excess of \$1.2 million.

• The Tax Division played an instrumental role in preparing the indictment that was lodged against former CIA agent Aldrich Hazen Ames *et al.* in *United States v. Aldrich Hazen Ames and Marie Del Remele Ames* (E.D. Va.). One of the Tax Division's senior prosecutors, who is also a CPA, worked closely with an IRS Special Agent to analyze the Ames' bank deposits and expenditures over a nine-year period. When it became clear that traditional methods of reconstructing income were unreliable because it could not be established that the deposits and expenditures were from taxable sources, our lawyer was able to match cash deposits and expenditures to meetings between Ames and the K.G.B., which established that the money was for services rendered and therefore was taxable. The completed investigation revealed that between 1983 and 1992, Aldrich Ames received about \$2.5 million from the K.G.B. for his espionage activities. Both Aldrich Ames and his wife pled guilty to tax and espionage charges.

International Tax Treaty Negotiations

In March, May, and July 1995, an interagency delegation jointly led by the State and Justice Departments, with participants from the Tax Division, the Criminal Division, and the IRS, met with representatives of the Luxembourg government to negotiate a mutual legal assistance treaty (MLAT). As a result, Luxembourg, which currently provides no assistance for any type of fiscal fraud, has agreed to provide assistance, including access to bank records, for most U.S. tax crimes. This agreement sets the stage for concluding similar agreements with other countries in the European that are bank secrecy jurisdictions such as Austria and Switzerland. From December 1993 through September 1995, the Tax Division participated in negotiations with Luxembourg for a new proposed income tax treaty. As a result, Luxembourg has agreed to provide a broad range of admissible information, not currently available under the present tax treaty, for both civil and criminal tax matters, except for bank information.

Throughout 1994, 1995, and early 1996, the Tax Division participated in negotiations with Switzerland for a new proposed income tax treaty. As a result, Switzerland, has agreed to increase its information exchange under a new treaty, including providing us with admissible bank information in most U.S. criminal tax matters.

PERFORMANCE MEASUREMENT TABLE: PRESENTED BY DECISION UNIT

NAME OF DECISION UNIT: Criminal Prosecution		PERFORMANCE TARGETS AND ACTUAL RESULTS						
PERFORMANCE INDICATOR INFORMATION								
Type of Indicator	Performance Indicators	1993 Actual	1994 Actual	1995 Actual	1995 Target	1995 Estimate	1997 Target	
Output/Activity	1. Percent of requests for litigation assistance at trial and appellate levels honored in legal services income cases	Not Avail.	Not Avail.	90%	90%	90%	90%	
	2. Percent of requests for litigation assistance at trial and appellate levels honored in targeted enforcement cases	Not Avail.	Not Avail.	90%	90%	90%	90%	
Output/Activity	3. Rate of participation in miscellaneous activities (i.e., conduct criminal tax training for Assistant U.S. Attorneys, participate in task forces, advise on legislative proposals and amendments, publish Criminal Tax Manual and revisions, etc.)	Not Avail.	Not Avail.	90%	90%	90%	90%	
Intermediate/Outcome	4. Percent of reviews completed within 90 days for administrative and grand jury overgrowth cases	85%	85%	86%	86%	86%	86%	
Intermediate/Outcome	5. Average number of days to perform initial reviews of administrative and grand jury overgrowth cases	44	41	45	45	45	45	
A. Definitions of Terms or Explanations for Indicators:								
The continued review and approval of all criminal tax prosecutions and the provision of litigation assistance to the United States Attorney's Office advances the goal of uniform enforcement. Prompt review of criminal referrals promotes the goal of achieving uniform determinations and fosters voluntary compliance.								
The Tax Division currently defines legal services income cases as those where the source of the proposed criminal tax charges is income that is legally produced or distinguished from income earned as a result of illegal conduct.								

<p>B. Factors Affecting FY 96 Program Performance.</p> <p>Overall, performance levels remained constant, as we anticipated.</p>	<p>C. Factors Affecting Selection of FY 96 and 97 Targets.</p> <p>Estimates are expected to remain fairly constant with past history. The ability to meet targets depends to a large extent upon the number and types of cases presented for processing during each year, level of expertise, and financing available in the United States Attorney's Office and in the Tax Division's Criminal Enforcement Section. IRS policies and initiatives affecting the complexity and volume of processing substantially complicate the processing of cases with the Internal Revenue Code, the volume of requests for assistance and participation in subsequent activities, and the level of funding provided to the Division for personnel and other resources. The Tax Division is in the process of redesigning its case management system. By FY 1998, it is anticipated that all Criminal Enforcement activities will be automated. A revised management system may cause some variation in the way some activities are conducted.</p> <p>Transport is a major concern in preparing FY97 program targets. A performance indicator and target need to be set for the results that will be achieved during processing by volume.</p>
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CIVIL LITIGATION

	Enklites	FTE	Amount
1996 Appropriation Anticipated	345	321	\$31,275
1997 Base	345	321	32,827
1997 Estimate	345	321	32,827
Increase/Decrease			\$

BASE PROGRAM DESCRIPTION: The trial attorneys in the Tax Division's six Civil Trial Sections litigate suits filed by and against taxpayers in the district courts, the bankruptcy courts, the Court of Federal Claims, and the state courts, all of which relate to the enforcement of the tax laws. The broad range of litigation handled by the Division's Civil Trial attorneys includes tax refund suits challenging the IRS' determination of a taxpayer's income, employment, excise, and estate Federal tax liabilities; bankruptcy litigation raising issues of the validity and priority of Federal tax claims and the feasibility of reorganization plans; actions to enforce IRS administrative summonses that seek information essential to determine and collect taxpayers' liabilities; suits to collect taxes and other monies often hidden by fraudulent conveyances, sham entities, and alter egos, suits against IRS and other Government officials for torts allegedly committed in connection with tax collection activities, tax protester suits of all varieties, suits against the IRS brought pursuant to the Freedom of Information and Privacy Act; and State and local inter-governmental tax immunity suits. In addition to handling litigation directly, Division Civil Trial attorneys frequently provide advice, training and other assistance to the many (Special) Assistant U.S. Attorneys handling the more routine civil tax cases.

The Division's Civil Litigation program represents its most comprehensive litigating function. Civil Trial attorneys support the IRS' general compliance activities and special audit programs by defending the Service's administrative determinations in the courts. They assure that taxpayers involved in trial level litigation are treated fairly and consistently nationwide. Cases handled by Civil Trial attorneys often govern thousands of cases pending administratively at the IRS and generate significant revenue for the Federal treasury. In 1995, the Tax Division collected \$183 million, including \$63 million remitted directly to the IRS, and was successful in obtaining \$194 million in new judgments and settlements. During the past year, Civil Trial attorneys also secured a number of major victories in the U.S. Bankruptcy Courts that should lead to significant revenue collections by the IRS, as well as successfully defending the United States against many refund suits brought by taxpayers, thereby retaining in the Federal Treasury millions in revenues. Just as with its appellate and criminal prosecution functions, the Division's Civil Litigation program has both a direct

impact on the taxpayer who is a party to the litigation and an indirect impact in promoting compliance with the tax laws. The case descriptions that follow, as well as many of those set forth in the section describing the Division's Federal Appeals program, illustrate the breadth of issues litigated by the Tax Division.

Direct Impact

- In *Caroline Power & Light v. United States* (E.D.N.C.), the Tax Division successfully tried to a jury an issue involving the "placed in service date" for depreciation purposes of a nuclear power plant.
- In *Cherren U.S.A., Inc. v. United States*, the district court denied the taxpayer's claim for a refund of approximately \$71.7 million, plus interest, in windfall profit taxes on the extraction of domestic oil. The court rejected the taxpayer's attempt to categorize such items as interest expenses as allowable deductions available to the property and agreed with the Government that the taxpayer was attempting improperly to calculate the taxable income from its properties for windfall profit tax purposes on a consolidated basis with its parent. The case was affirmed on appeal.
- In *In re Picard Oil Company* (Bankr. N.D. Tex.), the Chapter 11 bankruptcy proceeding of what was in 1986 the largest independent oil company in the world, the Government ultimately won an allowed claim for pre-petition taxes of more than \$58 million, plus interest. In addition, the Tax Division successfully litigated a post-petition claim for more than \$14 million, bringing the total collection in this bankruptcy to more than \$78.3 million.
- In *re Nelson Bunker Hunt and In re William Herbert Hunt* (Bankr. N.D. Tex.) are two separate Chapter 11 proceedings filed by the Hunt brothers of Texas in 1988. They are believed to have been the largest individual bankruptcies in the history of the United States. Liquidating plans were confirmed in December of 1989 and provided that the Government receive 80 percent of the proceeds of Bunker Hunt's liquidation and 70 percent of the proceeds of Herbert Hunt's liquidation. As a result of a number of post-petition disputes – the last of which was only resolved in May 1995 – the Tax Division has continued to be actively involved in the liquidations. The liquidations, which as of May 1995, have resulted in collections of more than \$78.6 million and \$26.7 million in satisfaction of Bunker and Herbert Hunt's tax debts, respectively, are expected to continue for another one or two years and produce approximately an additional \$18 million.
- In *re Charles R. Testik* (Bankr. S.D. Ga.), the Court held that the debtor's income tax liabilities for 1980 through 1986, of approximately \$1.8 million, were not dischargeable because the debtor attempted to evade payment of his taxes. The court

relied on the debtor's prior bankruptcy filing, the debtor's previous guilty plea for failing to file his 1980 tax return, and the tardy filing of many of his subsequent tax returns. In addition, the court found that the debtor, who had not made any voluntary tax payments in ten years, schemed to avoid withholding on a substantial portion of his salary. This case is just one of many where the Division succeeds in opposing the dischargeability of taxes in bankruptcy due to evasion.

- In *United States of America v. K. T. Herr, Chairman of Chevron Corporation, and Chevron Corporation* (N.D. Cal.), Chevron paid approximately \$650 million in settlement of almost all of the issues that had arisen in nine years of tax disputes with the IRS. Among the tax issues that were contested were liabilities for intercompany interest, services and transfers pricing, offshore insurance operations, European refining and marketing operations, and the tax liability in connection with crude oil purchased at below-market prices by Chevron from Saudi Arabia that in turn set limits on Chevron's resale prices. This case, one of the most significant tax cases litigated by the Justice Department, was worked jointly by the Tax Division and the United States Attorney's Office for the Northern District of California.

- In *In re LCH Corporation* (Bankr. N.D. Tex.), the trial section succeeded in collecting \$71.6 million from the debtor, a holding company for a number of insurance companies domiciled in different states including Texas, Pennsylvania, Illinois, Kentucky, and Missouri.

Indirect Impact

- In *American Society of Association Executives (ASAE) v. Benitez* (D.D.C.), the plaintiff, 11 trade associations, and professional societies, asked the court to declare unconstitutional the recent amendments to the tax laws which withdrew the business deduction for lobbying expenses and for a portion of membership dues paid to those tax-exempt organizations that engage in lobbying activities. Plaintiffs argue that the "flow through rule", the "allocation provision" and the "proxy tax" hinder the exercise of their First Amendment rights of free speech and violate their Fifth Amendment rights of equal protection. The Tax Division succeeded in having the suit dismissed in April 1994, on the ground it violated the Anti-Injunction Act, 26 U.S.C. 7421(a). In May 1995, the ASAE filed a second suit, which is currently being litigated by the Division, that raises similar arguments in a different jurisdictional context.

- In *Black/Get National Bank, et al. v. Rubin* (D.D.C.), the court rebuffed an attempt by two national banks to force the Secretary of the Treasury to withdraw a proposed regulation. The banks claimed that the regulation would severely restrict their ability to market a financial product known as a "retirement CD." The court adopted the argument advanced by the trial section that

the banks should use the "notice and comment" phase of the rulemaking process rather than expect judicial review of a regulation that may not be effectuated.

- In another case of industry-wide importance, *Beneficial National Bank and Beneficial Tax Masters v. Commissioner* (D. Del.), the plaintiffs filed a complaint against the IRS seeking a temporary restraining order (TRO) and a preliminary injunction to prevent the IRS from splitting the payment of tax refunds between Beneficial and taxpayers who receive refunds as a result of claiming the earned income tax credit ("EITC") available to low income taxpayers. Beneficial sued in its capacity as a leading maker of refund anticipation loans ("RALs"), i.e., loans secured by anticipated refunds made to taxpayers who file their returns electronically. After the Court denied the motion for a TRO, ordered discovery and set a hearing date, and after the Tax Division -- as counsel to the IRS -- produced documents, deposed Beneficial's officers and employees, and defended depositions of various IRS employees, Beneficial announced that it was withdrawing its suit. Beneficial appears to have been convinced that it would not prevail on the merits.

- In *United States v. Norwest Corp.* (D. Minn.), the United States asked the Court to enforce a summons issued by the IRS to obtain software used by the taxpayer for the preparation of its consolidated income tax returns. In this case of significant administrative importance to the IRS, the court ruled that the IRS was entitled to the software while imposing certain conditions on its use and subsequent return.

<p>B. Factors Affecting FY 95 Program Performance.</p>	<p>The reported outcomes reflect positively on the CLP's productivity and debt collection efforts. Many outside factors affect these outcomes, however, among them the lack of control over the number, type, significance, and complexity of its case backlog, which are dependent on such matters as the changing tax laws and the level of funding provided to the IRS for personnel and taxpayer compliance initiatives; the responsiveness of its client agencies; the strategies of opposing counsel; the procedures of and barriers to the courts; and the collectibility of taxpayers' debts. In addition, productivity and quality are greatly affected by the resources available to the CLP.</p>
<p>C. Factors Affecting Selection of FY 94 and 95 Targets.</p>	<p>The CLP will report its performance on the selected indicators but will not set targets in order to avoid the danger that they will be perceived as quotas by taxpayers and others. By doing so, the CLP will reaffirm its view that success is not success if gained at the expense of the important goals of fairness and efficiency. The Tax Division is in the process of redesigning its case management system. By FY 1996, it is anticipated that all CLP statistics will be restructured. A revised measurement system may cause some variations in the way some statistics are calculated.</p>

Indicators to facilitate assessing a taxpayer's 1994 program change. A performance indicator and target must be set for the results that will be achieved. Results to be achieved.

B.

MANAGEMENT AND ADMINISTRATION

	Positions	FTE	Amount
1996 Anticipated Appropriation	92	93	\$ 8,235
1997 Base	92	93	8,720
1997 Estimate	92	93	8,728
Increase/Decrease	...	...	\$ ...

BASE PROGRAM DESCRIPTION: The Assistant Attorney General, the Executive Office staff, and the Legislative, Policy & Management Analysis Unit of the Tax Division provide leadership, policy guidance and direction, and administrative support to all components of the Tax Division. The Division's executive leadership establishes appropriate and uniform policies involving appeals and civil and criminal tax enforcement and promotes and maintains communications with the IRS, the Treasury Department, the Office of Management and Budget, the United States Attorney's Offices, other components of the Department of Justice, and the public. The personnel in the Legislative, Policy & Management Analysis Unit review and analyze legislative proposals that directly affect the litigating mission of the Tax Division, prepare all legislative reports required by the Congress, the Office of Management and Budget, and the Department of Justice, and coordinate the Division's activities pursuant to the Government Performance and Results Act (GPRA). Timely responses also are prepared to satisfy the requirements of the Freedom of Information and Privacy Acts.

The Office of Administration provides services relating to general administration, fiscal/budgetary controls, automated information systems technology support, personnel, and other administrative matters as required. It consists of three components: (i) the Executive Office, which provides overall control and policy guidance; (ii) the Administrative Services Staff, which is responsible for accounting and financial services, budget planning and evaluation, personnel services, (including monitoring the recruitment and hiring of Division personnel), case records and file management, procurement, and facilities management; and (iii) the Information Management Staff, which is responsible for managing and maintaining the EAGLE office automation network and for providing all other information systems technology support required by Tax Division employees, litigation support services, a personal computer resource center, and a post-litigation operation that tracks and monitors the Division's debt collection operations.

The Tax Division's senior management remains committed to maintaining and enhancing the standards of excellence that have been the hallmark of the Division since its inception. This commitment has resulted in improved internal management controls, better budget development and execution, enhanced office automation, and successful programs to improve employee training.

As part of pursuing the Tax Division's primary mission -- promoting the uniform and equitable enforcement of the nation's tax laws -- the Division's line litigation managers (section chiefs) have fostered heightened cooperation with the United States Attorneys and the Internal Revenue Service. The Section Chiefs regularly meet with representatives from these other offices to develop and coordinate law enforcement initiatives and to discuss other matters of mutual concern. For example, the four chiefs of the Criminal Enforcement Sections participated in a meeting of IRS Criminal Investigation managers to explore workload priorities and trends. A byproduct of this development has been more participation by Tax Division line attorneys in the policy discussions and litigation efforts of cooperative law enforcement efforts, such as joint IRS/FBI investigations of motor fuel excise tax evasion, the Department of Transportation/Federal Highway Administration Joint Federal/State Motor Fuel Compliance Project, the Treasury Department's Tax Refund Fraud Task Force, various health care fraud task forces, the Organized Crime Drug Enforcement Task Forces (OCDETF), and the Bank Fraud Task Forces established to respond to litigation resulting from the savings and loan crisis.

On the administrative side, the Tax Division has also benefited from its relationship with the IRS by meeting with the Service's financial management executives, exploring how the Service has employed activity-based cost management techniques, and exploring the feasibility of testing such a system in a litigation environment. At the request of the IRS, the Deputy Assistant Attorney General (Civil) and the section chiefs from the Division's civil trial sections are working with representatives of the Commissioner of Internal Revenue, the Chief Counsel, Justice Management Division, and the Executive Office for United States Attorneys to streamline the Department's Atlanta lock box operations so that the taxes collected by the Division and United States Attorneys can be more expeditiously credited to taxpayers' accounts.

The Tax Division's executive, legislative, and policy personnel have participated in drafting the Division's position on a variety of issues related to the Department's operations and the regulation of its litigation environment. Thus, for example, the Assistant Attorney General has established a Performance Management Committee composed of staff, line attorneys, and managers to develop and implement the Division's response to the obligations imposed by GPRA. She also regularly meets with a Line Attorneys' Committee, composed of one elected representative from each of the legal sections in the Division and with another committee of secretaries and technical personnel with which she meets periodically. Among the issues that have been addressed by these committees and in writings and policy discussions have been the appropriate ratio between attorneys and support staff, the increased use of para-professionals, and the use of administrative leave for *pro bono* work performed by attorneys and support staff.

On the legal side, the Assistant Attorney General has sought broad input on many issues including proposed asset forfeiture legislation and guidelines for searching and seizing computers. The Tax Division also has been exploring the potential applicability of Alternative Dispute Resolution mechanisms to litigation matters. During the past year, the Division's Office of Training continued to offer top-tier educational opportunities to managers, attorneys, other professionals, and support personnel. The Training Office offers daily classes and videotaped sessions to enhance legal and technical skills. It also coordinates training mandated by the Department on such complex issues as sexual harassment sensitivity and AIDS awareness. The Office of Training provides the ethics and computer security training required by the Division of all its employees and continues to offer its successful individualized word processing training program.

In 1994, the staff of the Tax Division's Administrative Section continued its previous years' achievements by delivering additional services without additional funding. Among its major accomplishments were the following: (i) saving more than \$100,000 in copier costs by replacing old contracts with a new reimbursable agreement with a Defense Department Consolidated Administrative Support Unit; (ii) enhancing the Division's in-house office automated litigation support unit by acquiring new optical imaging equipment; (iii) selecting and ordering new personal computers that will easily bridge to the Department's future office automation network; and (iv) enhancing the Division's CD-ROM legal research library and putting it on a local area network that now serves six of the Division's seven Civil Trial Sections and that will eventually serve the entire Division. Each of these achievements allowed the Division to weather tight budget times and contributed significantly to the success experienced by the Division in the past year.

TAX DIVISION
Salaries and Expenses, General Legal Activities
(Dollars in thousands)

JUSTIFICATION OF MULTI-ACTIVITY PROGRAM CHANGES

Budget Activity/Program	Restoration of Base	
	Pos.	WY Amount
Federal Appeals	...	4 \$428
Criminal Prosecution	...	7 748
TOTAL	...	11 \$1,176

Restoration of Base Resources. The Department requests resources to restore to the General Legal Activities organizations the amounts eroded from their base funding levels. In 1996, the Department cannot provide funds to the Division for payments such as statutorily-mandated pay raises and salary adjustments for inflation. To absorb these costs, the Tax Division will have to reduce its program staff by 11 full-time equivalent (FTE) workyears. These positions are restored consistent with the Division's program priorities and its commitment to increase the efficiency and decrease the costs of its administrative functions. The additional positions in the Tax Division's Appellate Section will allocate some of the problems of overworked attorneys who increasingly rely on extensions of time from the courts to meet filing deadlines. Restoring positions to the Division's Criminal Enforcement Sections will permit the Division to provide specialized expertise to U.S. Attorneys who seek to include tax charges in their prosecutions of other criminal conduct while still focusing on its initiative to increase the number of the legal source income tax crimes prosecuted each year.

The Division
 Police and Security, General Land Activities
 Financial Statement - Expenses Change
 (Values in thousands)

Item	Federal Appropriations		Other Provisions		Grand Total	
	NY	Amount	NY	Amount	NY	Amount
Grants						
CE-15	-	-	-	-	-	-
Total employees and material cost	4	534	7	534	11	534
Lapses (-)						
Total employees and personnel	4	534	7	534	11	534
Personnel						
Personnel	4	534	7	534	11	534
Personnel benefits						
Travel and transportation						
CIA's rent						
Other rent						
Printing						
Communications						
Supplies and materials						
Equipment						
Total program employees and obligations	4	534	7	534	11	534
Other (1977)						

001546
 8-18

FILE FINANCIALS

**Tax Division
Selects and Issues General Lead Activities
Status of Contemporarily Requested
Standards, Reports, and Limitations**

1. In the Conference Report on H.R. 2076, Congress asked the Attorney General to report to the Committee on the progress of the Tax Division's efforts to identify and locate the offices of the "Tax Division" and offices that are co-located with U.S. Attorneys." (H.R. Conf. Rep. No. 104-376, 104th Cong., 1st Sess. at 81 (Dec. 1, 1995)). As of the date when this exhibit was prepared, the Tax Division had provided information to the Attorney General to enable her to prepare a response.

FILE: STUDY3

B-33

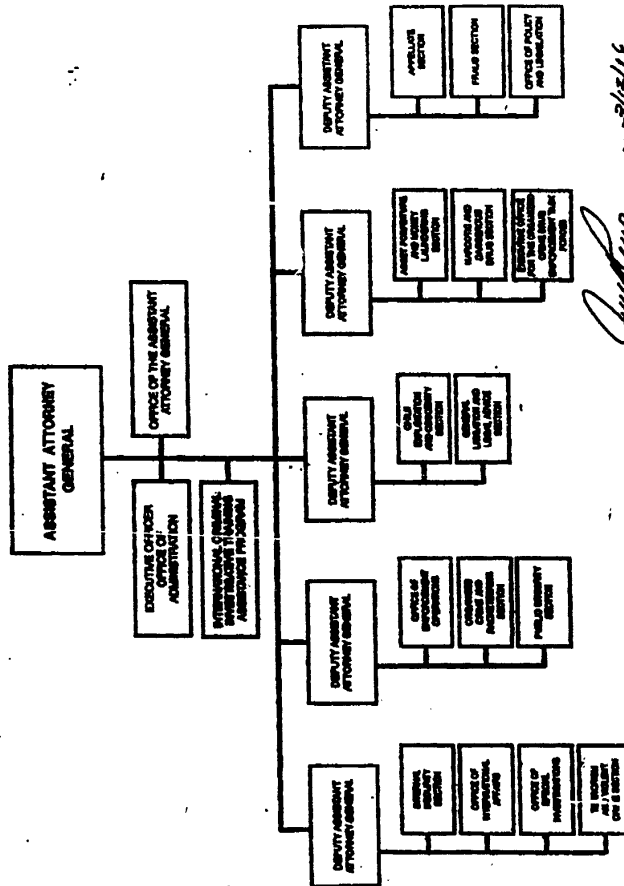
The Division
 Station and Inventory Control and Analysis
 1971-1972

Base Program		Program Income	
Division	Expenditure	Division	Expenditure
Criminal Prosecution	1	Restoration of Base	1
Police Appointments	2		
Civil Litigation	3		
Management and Administration	4		

GROUP
 B-11

FILE PERIOD

CRIMINAL DIVISION



Approved: *[Signature]* Date: 3/24/16
JANET FRED
Assistant Attorney General

Criminal Justice
 Administration
 Department of Justice
 Criminal Justice Institute

Appropriation in Base	1997 Base	1997 Budget	1997 Actual
994 President's Request	700	720	871,346
Continuation of Appropriation	15	15	1,300
994 Appropriation Anticipated	715	735	79,666
Adjustment to Base			
Transfer:			
100 Management Transfer			(15)
100 Reassignment			(80)
Total Transfer			(95)
Reversion:			
1997 Pay Scale and Locality Pay Adjustment			1,296
Administration of 1996 Locality Pay			1,796
Administration of 1996 Pay Scale			1,400
Vocational Grade Increases			471
Arrested Compensation			110
Total Mileage Allowance Base			4
GSA Base			1,122
Grand Pricing Level Adjustment			199
Increase in Litigation Support Contract			8
Total Mandatory Increases			3,804
1997 Base	715	735	83,466
Proposed Changes (See Program Narrative for Details)	9	9	3,908
1997 Estimate	724	744	87,374

1996 Appropriation	1997 Base	1997 Budget	1997 Actual
Relocation to Budget Authority	90	94	811,313
Operational Office & Materials	217	218	25,440
White Office Office	146	146	17,481
International	143	143	18,325
Litigation Support	143	143	19,489
Management and Administration	88	88	13,082
Total	717	735	886,030
Reassignable Employees	88	88	
Total Employees	795	795	
Total Compendible	795	795	
Employees			

**Children's Health
Insurance and Compensation Act of 1981
Summary of Resources by Program
Children in Community**

	1975 Budget		1975 Actual		1982 Appropriation Authorized		1982 Base		1982 Estimate		Increase/Decrease	
	Pos.	WT. Amount	Pos.	WT. Amount	Pos.	WT. Amount	Pos.	WT. Amount	Pos.	WT. Amount	Pos.	WT. Amount
Children's Health												
Child Care & Nurseries	3	24,306	37	24,306	34	24,315	33	24,309	33	24,313	0	60
Child Care Centers	24	24,306	27	24,306	25	24,315	25	24,309	25	24,313	0	60
Nursing Centers	17	13,153	17	13,153	14	14,483	14	14,483	14	14,483	0	1,044
Liaison Support	148	817,975	148	817,975	148	817,975	148	817,975	148	817,975	0	982
Transportation & Administration	107	14,115	107	14,115	107	14,115	107	14,115	107	14,115	0	1,115
Total	191	884,855	191	884,855	191	884,855	191	884,855	191	884,855	0	3,115
Healthcare Insurance												
Health Insurance	3	24,306	37	24,306	34	24,315	33	24,309	33	24,313	0	60
Total Healthcare Insurance	3	24,306	37	24,306	34	24,315	33	24,309	33	24,313	0	60
Other Programs												
Total Other Programs	3	24,306	37	24,306	34	24,315	33	24,309	33	24,313	0	60
Other Programs												
Total Other Programs	3	24,306	37	24,306	34	24,315	33	24,309	33	24,313	0	60

**Criminal Division
Reimbursable Resources
Summary of Requirements
(Dollars in thousands)**

	1993 Actual		1994 Estimate		1997 Request		Increase/Decrease	
	Pos.	WY Amount	Pos.	WY Amount	Pos.	WY Amount	Pos.	WY Amount
Executive Office for U.S. Attorneys	19	2,314	19	2,314	19	2,314	0	0
Domestic Crime and Drug Enforcement	5	228	5	2,000	3	5,000	0	0
Executive Office for Asset Forfeiture	4,981		38	8,500	38	8,500	0	0
U.S. Agency for International Development				600		600	0	0
U.S. Department of State	856			500		500	0	0
IANA Fee							0	0
VI Other	606				60	17,114	0	0
Subtotal Resources	0	9,227	0	17,114	0	17,114	0	0

C-4

Criminal Division
Salaries and Expenses
Program Performance Information
Government Performance and Results Act

Mission: The mission of the Criminal Division is to develop, enforce, and exercise general oversight for Federal criminal laws, except those that are specifically assigned to other Divisions. The Division oversees criminal matters under more than 900 statutes; supervises certain civil litigation; advises the Attorney General on matters concerning criminal law; monitors sensitive areas of criminal law requiring coordination, such as attorney subpoenas, attorney fee forfeitures, and international law enforcement; establishes and facilitates the implementation of criminal law enforcement policies; provides leadership for coordination of Federal-State-Local law enforcement relationships; and coordinates law enforcement issues relating to national security.

The first concise mission statement for the Division appears in a message from the President of the United States transmitting a manuscript entitled, "Origin and Development of the Office of the Attorney General" to the House of Representatives in 1929. In the manuscript, President Coolidge writes:

"An Assistant Attorney General has charge of a Division which operates in connection with the enforcement of criminal laws of the country by giving direction, where necessary, to the prosecution of cases involving crimes against the United States and to all the other matters involving criminal practice and procedure, such as questions pertaining to indictments, grand juries, search warrants, passports, alien enemies, extraditions, etc. Under the Division also come questions arising in connection with crimes committed on the high seas, crimes arising under the national banking law, and under naturalization laws, and from which is given, when necessary, advice and instruction to United States Attorneys in various districts respecting the conduct of criminal cases."

There have been any number of expansions of the Division's responsibilities since 1929. While the basic mission remains unchanged, we have broadened the scope to encompass national security law enforcement issues that have taken us into the arena of international affairs.

Organizational Goals:

1. To support and encourage the Attorney General's law enforcement initiatives and programs; to provide the maximum assistance to the U.S. Attorneys in pursuit of the successful fulfillment of the Attorney General's plans.
2. To provide experienced resources to identify, investigate, and prosecute individuals engaged in violent criminal activity.
3. To reduce the availability of controlled substances through the prosecution and conviction of high-level offenders and members of criminal organizations and to develop, implement and coordinate nationwide enforcement programs that will combat the illicit activities of organized crime.
4. To direct and coordinate the federal effort against white-collar crime; with a focus on fraud involving government programs, financial institutions, procurement, and health care; and coordinate a nationwide program that will ensure the integrity of both public office and the electoral system.
5. To provide effective and efficient enforcement of criminal statutes affecting terrorism and national security and to coordinate the Department's responsibilities for providing assistance in criminal-related international legal matters in the areas of extradition, international legal assistance and prisoner transfers.

Criminal Division
Salaries and Expenses - General Legal Activities
Justification of Program and Performance
(Dollars in Thousands)

	Perm. Pos.	FTE	Amount
Organized Crime & Narcotics			
1996 Appropriation Anticipated	93	94	\$10,315
1997 Base	93	94	10,809
1997 Estimate	93	94	11,213
Increase/Decrease	...	...	404

Base Program Description: Staff in this decision unit focus on the following objectives:

- Ensuring the investigation and prosecution of all major organized crime groups and activities.
- Assisting the Department in fulfilling its responsibilities in the development and implementation of domestic and international narcotics law enforcement programs and policies.
- Providing direct litigative support to the Organized Crime Drug Enforcement Task Force (OCDETF) and High Intensity Drug Trafficking Area (HIDTA) Programs, other multi-agency initiatives, and U.S. Attorneys' Offices in recusal matters or as requested.
- Participating, on behalf of the Department, in the development and administration of cooperative drug enforcement initiatives and projects conducted by the law enforcement and intelligence communities.

Program Changes:	Pos.	FY	Amount
Restoration of Base Resources	\$ 404
Total	\$ 404

	Perm. Pos.	FTE	Amount
White Collar Crime			
1996 Appropriation Anticipated	217	218	\$23,587
1997 Base	217	218	24,716
1997 Estimate	217	218	25,640
Increase/Decrease	...	...	924

Base Program Description: Staff in this decision unit focus on the following objectives:

- Overseeing the Federal effort to combat corruption through the prosecution of elected and appointed public officials at all levels of government and handling all matters involving alleged misconduct by Federal judges and other corruption matters in which the United States Attorneys Office is recused.
- Supervising the investigation and prosecution of conflicts of interest and election crimes.
- Conducting major criminal investigations and prosecutions of fraudulent schemes against individuals, institutions and the United States Government.
- Developing and enhancing local, state, Federal and international law enforcement cooperation in the prevention of fraud schemes.
- Identifying the major offenders of child exploitation, child sexual abuse, child prostitution, and obscenity statutes and prosecuting cases of national scope.
- Coordinating child exploitation prosecutions with U.S. Attorneys' Offices.
- Assisting the U.S. Attorneys' Offices in investigating and prosecuting offenders and providing the U.S. Attorneys' with the requisite specialization in these sensitive high profile areas of the law.
- Developing and coordinating national projects and prosecutions that involve the protection of minor children from sexual exploitation and abuse.

Program Changes:		Pos.	Proj.	Amount
Restoration of Base Resources		\$ 924
Total		\$ 924

International	Perm. Pos.	FTE	Amount
1996 Appropriation Anticipated	146	148	\$16,682
1997 Base	146	148	17,481
1997 Estimate	155	153	18,525
Increase/Decrease	9	5	1,044

Base Program Description: Staff of this decision unit focus on the following objectives:

- Guiding federal and state prosecutors in the return of fugitives from abroad.
- Obtaining evidence and legal assistance from foreign governments.
- Negotiating treaties and other agreements that will facilitate the extradition of fugitives and acquisition of evidence.
- Developing, implementing and coordinating investigative and litigative strategies in the area of national security.
- Supervising all prosecutions involving the Neutrality statutes, the Espionage statutes, the Arms Export Control Act, the Export Administration Act, the International Emergency Economic Powers Act, and the Classified Information Procedures Act (CIPA).
- Administering and enforcing the Foreign Agents Registration Act (FARA).
- Providing legal support to all Federal investigative agencies engaged in national security matters.
- Identifying all alleged war criminals living in the United States and seeking to denaturalize and/or deport them.
- Developing and maintaining working relationships with foreign governments that have information relating to the activities of suspected Nazi war criminals.
- Investigating and prosecuting federal offenses related to international and domestic

acts of terrorism.

- Providing experienced resources to identify, investigate, and prosecute individuals engaged in violent criminal activity nationwide.
- Coordinating the Anti-Violent Crime Initiative, including the prosecution of violent gang activities, through partnerships with branches of state, local and international governments.

Program Changes:

	Pos.	FTE	Amount
Structural Changes to the Office of International Affairs	9	5	\$ 478
Restoration of Base Resources	...	...	566
Total	9	5	\$ 1,044

Structural Changes to the Office of International Affairs

This initiative seeks to address the following objectives:

To create a Unit that will collect, organize and critically analyze all sensitive international law enforcement information and provide the Department with such information upon request.

To produce and provide any necessary briefing materials on international enforcement matters.

To develop the capability to spot emerging trends and to stay abreast of rapidly changing country priorities.

Increases of nine positions (four analysts, and five paralegals) and \$478,000 are requested for 1997.

The Department's role in law enforcement activities is becoming increasingly international and requires reorganization of the Criminal Division's Office of International Affairs (OIA) to meet those challenges. An important part of this reorganization is the creation of an internal resource which will provide thorough, reliable and prompt information on a full-range of matters of departmental interest with respect to priority countries in the international community. These new resources will enable us to begin activation of a new unit within OIA that is more immediately responsive to the Department's needs.

OIA already serves as the Department's principal point of contact for international criminal matters -- extradition, mutual legal assistance, negotiation of international treaties and agreements. In the past, the Department has developed excellent relationships with U.S. Attorneys' Offices, the law enforcement agencies (both DOJ and non-DOJ), the State Department, outside agencies overseas. OIA attorneys have developed close working relationships with ministries of justice and interior, police agencies, magistrates, and personnel at U.S. embassies. OIA is uniquely positioned to most effectively elicit the kind of cooperation and information sharing necessary to acquire the even broader expertise and analysis the Department requires.

The expansion of the mandate of OIA to make it the central point of analysis for international matters of Departmental interest will require additional resources. We envision building on the current OIA geographical task structure by creating a new "Analysis Unit" for the collection, organization and analysis of international law enforcement sensitive information.

The Analysis Unit will be responsible for the collection, organization, and critical analysis of sensitive priority country information. This information will be utilized by the Unit to provide the Department's policy makers with up-to-date material upon request. We envision the Unit will become a resource of important current international law enforcement information to the Department. The Division foresees the Unit keeping the Department abreast of international issues, as well as identifying criminal trends in foreign countries and providing sound analysis and advice. The Unit will also proactively "close the loop" and feed the gathered information back to OIA's country desk officers and those components/agencies who contribute information.

The Unit will serve as a pro-active liaison group for reaching out to and collecting information from other components within DOJ, other Federal agencies, the National

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District Attorneys Association (MDAA), the National Association of Attorneys General (NAAG), and the law enforcement community. Working groups will be formed with these components and agencies to ensure that all appropriate international information is collected by the Unit.

Staffing Requirements - We anticipate staffing the Analysis Unit with nine new positions at a cost of \$478,000 in FY 1997.

	Perm. Pos.	FTE	Amount
Litigation support			
1996 Appropriation Anticipated	163	167	\$17,929
1997 Base	163	167	18,787
1997 Estimate	163	167	19,489
Increase/Decrease	...	...	702

Base Program Description: Staff of this decision unit focus on the following objectives:

- Training of prosecutors and law enforcement officers in the terms of the Indian Gaming Regulatory Act, the National Indian Gaming Commission's regulations, and changes in case law, as well as providing advice and support to the United States Attorneys' Office and coordinating investigations in these matters.
- Managing, within the constraints of law and Department policy, the effective use of such investigative tools such as electronic surveillance, witness security and relocation, threats against prosecutors, covert activities involving Federal prisoners and protected witnesses, and authorization of witness immunity.
- Approving or disapproving requests for Witness Security Program services, coordinating related activities among the various agencies relating to the Program, and coordinating all movements and activities of the witnesses.
- Directing the enforcement of a limited number of statutes where considerations of logistics or other requirements dictate centralization.
- Developing, coordinating, and implementing, through litigation, nationwide policies and programs regarding the seizure and forfeiture of the assets and profits of criminals and criminal groups.
- Coordinating, on a national level, the simultaneous investigation of money laundering organizations with the goal of dismantling the organizations, prosecuting the principals, and seizing their assets.
- Assisting U.S. Attorneys' Offices in litigating forfeiture cases where specified circumstances exist.

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- Assisting the Solicitor General by preparing draft briefs in opposition, merits briefs, and petitions for certiorari.
- Assisting United States Attorneys by presenting oral arguments and writing briefs, rehearing petitions, and mandamus petitions in the courts of appeals.
- Conducting systematic evaluations of major law enforcement programs (to include internal division activities/programs).
- Facilitating the exchange of information with other public agencies and private institutions in the field of law enforcement.
- Developing, in cooperation with other Federal justice agencies, legislative proposals, legal memoranda, and statements to be given before Congress by officials of the Department.
- Enhancing police and investigative capabilities throughout Latin America, the Caribbean, Haiti and the Newly Independent States (Russia).

Program Changes:

	Pos.	ETH	Amount
Restoration of Base Resources	\$ 702
Total	\$ 702

	Perm. Pos.	FTE	Amount
Management and Administration			
1996 Appropriation Anticipated	98	108	\$11,092
1997 Base	98	108	11,623
1997 Estimate	98	108	12,057
Increase/Decrease	...	...	434

Base Program Description: Staff of this decision unit focus on the following objectives:

- Supervising the development and implementation of Department policy so as to assure an effective, fair and consistent administration of Federal criminal laws.
- Establishing priorities and providing general supervision on the national enforcement of Federal laws.
- Developing and implementing policies relating to the efficient administration of the Division.
- Providing administrative services necessary to the operation of the Division.

Program Changes:

	Pos.	FTE	Amount
Restoration of Base Resources	\$ 434
Total	\$ 434

PERFORMANCE MEASUREMENT TABLE: PRESENTED BY DECISION UNIT

NAME OF DECISION UNIT: ORGANIZED CRIME AND NARCOTICS		PERFORMANCE TARGETS AND ACTUAL RESULTS					
PERFORMANCE INDICATOR INFORMATION							
Type of Indicator	Performance Indicators	1993 Actual	1994 Actual	1995 Target Estimate	1996 Target	1997 Target	
Input	1. RICO prosecutions and civil suits received.	175	146	167	195	255	
	2. - Striba Force cases received.	230	163	160	160	178	
	3. - Number of Narcotic and Dangerous Drug Section (NDDS) cases opened.	25	35	40	49	45	
Output Activity	4. RICO prosecutions and civil suits reviewed.	175	146	167	195	255	
	5. Striba Force cases reviewed.	140	141	120	85	113	
	6. Number of NDDS cases closed.	23	29	34	35	40	
Intermediate Action	7. NDDS acquittals/dismissals.	10	24	-	-	-	
End Outcome	8. RICO prosecutions approved.	175	146	167	195	255	
	9. Striba Force cases approved.	140	141	120	85	113	
Productivity/ Efficiency	10. RICO prosecutions reviewed per attorney.	-	24	28	33	43	
	11. Striba Force cases reviewed per attorney.	-	11	9	7	9	
	12. NDDS cases closed per attorney.	.75	.91	1	1	1	
A. Definitions of Terms or Explanations for Indicators: Clarify potentially confusing terms. Assess a low level of familiarity with your program.							

<p>Item #1 - RICO Prosecutions and Civil Suits - The Organized Crime and Racketeering Section is responsible for the detailed review of more than 100 proposed RICO prosecutions submitted by the U.S. Attorney's Offices each year. These cases are not limited to organized crime; they involve serious crimes such as narcotics trafficking, political corruption, complex white-collar fraud, and international terrorism. The Section's attorneys spend considerable time going over each such submission in order to ensure that any proposed RICO indictment meets all applicable legal and policy standards of sufficiency. These attorneys also act as the Department's central repository of information about RICO, a very powerful statute which has attracted great controversy in the press, the private defense bar, and in Congress over the past 10 years or more. Section attorneys monitor all legal developments with the statute, and analyze the numerous legislative proposals that are introduced during each term of Congress to alter the statute in some significant way. In addition, several attorneys from the RICO Unit travel to handle cases in the field in order to provide expertise in racketeering prosecutions to field teams.</p> <p>Item #2 - Strike Force Cases - The Organized Crime and Racketeering Section has primary responsibility for coordinating the efforts of Organized Crime Strike Force Units located within United States Attorney's Offices in 23 cities where the threat from organized crime groups currently is deemed the most serious. Each Strike Force Unit submits proposed case indictments and prosecution recommendations to the Organized Crime and Racketeering Section for approval. Through the Case Initiatives Report approved mechanism, management regulates the application of national priorities. The supervisory officials of the Section review and approve all Strike Force Unit Case Initiation Reports, prosecution memoranda, and indictments; request for electronic surveillance orders; witness immunity orders; and all other substantive and procedural matters relating to the conduct of heavily crime and prosecution in organized crime cases. In addition, the Chief, Deputy Chief, and other Headquarters personnel carry out extensive oversight of Strike Force Unit activities through field visits to each Strike Force Unit.</p> <p>Item #3 - Narcotics and Dangerous Drug Section (NDDSG) Cases - NDDSG is responsible for providing direct litigation support to United States Attorneys (USAs) throughout the country. On request, field attorneys from NDDSG are assigned investigations or pending cases and sometimes other shared or sole responsibility for the designated litigation. This includes cases from which the United States Attorney's Office (USAO) has received input. In selecting how best to use the Section's litigation resources, emphasis is given to supporting the OODSTF and HIDTA programs and other multi-agency initiatives. Related to the direct support of litigation is the Section's coordinated coordinating role in large scale multi-jurisdiction, multi-agency investigations. In this capacity, the Section ensures that critical litigation decisions are made on a collective basis and that all strategic and tactical elements are coordinated and coordinated.</p>	<p>B. Factors Affecting FY 94 Program Performance. Describe reasons for any significant differences between target levels of performance and estimates of actual performance, whether positive or negative. None</p> <p>C. Factors Affecting FY 94 and FY Performance. In all time areas, external factors affecting workload in FY's 94 and 97 will include the number of prosecutions brought by USAO's that require review and approval and the need for direct litigation support from the Division.</p>
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PERFORMANCE MEASUREMENT TABLE: PRESENTED BY DECISION UNIT

NAME OF DECISION UNIT: White Collar Crime		PERFORMANCE TARGETS AND ACTUAL RESULTS					
PERFORMANCE INDICATOR INFORMATION		PERFORMANCE TARGETS AND ACTUAL RESULTS					
Type of Indicator	Performance Indicators	1993 Actual	1994 Actual	1995 Target	1995 Estimate	1996 Target	1997 Target
Input	1. Public integrity cases opened.	34	35	35	24	35	35
	2. Fraud cases opened.	85	84	80	63	60	60
Output/Activity	3. Public integrity cases closed.	45	35	35	26	35	35
	4. Fraud cases closed.	86	66	66	64	60	60
Intermediate Outcome	5. Public integrity acquittals/dismissals.	7	-	-	-	-	-
	6. Fraud acquittals/dismissals.	17	8	10	7	10	10
End Outcome	7. Public integrity convictions.	51	43	43	36	36	36
	8. Fraud convictions.	116	112	110	129	110	110
Productivity/Efficiency	9. Public integrity cases closed per attorney.	1.8	1.5	1.5	0.9	1.3	1.3
	10. Fraud cases closed per attorney.	0.9	0.8	0.8	0.9	0.9	0.9
A. Definitions of Terms or Explanations for Indicators:		<p>Item #1 - Public Integrity Cases - The Public Integrity Section (PI) has the general responsibility for overseeing the federal effort to combat corruption through the prosecution of elected and appointed officials at all levels of government. Examples of cases that PI has been involved in are INS Bribery Cases, the conviction of former United States Treasurer Vespene Villalpando, the indictment of former Senator David F. Durenberger, and the indictment of the former Director of the White House Travel Office.</p> <p>Item #2 - Fraud Cases - The Fraud Section is responsible for conducting grand jury investigations and prosecutions in cases that require centralized treatment because of the complexity of the scheme, the multi-district nature of the criminal activity, the sensitivity of the issues, or the necessity for developing model prosecutions to establish the viability of a particular statute, prosecutive theory or technique. The Section deals with cases in the area of financial institution and securities fraud; federal procurement fraud; government, business and consumer fraud; and complex corporate fraud.</p>					
B. Factors Affecting FY 95 Program Performance. Describe reasons for any significant differences between target levels of performance and estimates of actual performance, whether positive or negative.							

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C. Factors Affecting FY 96 and 97 Program Performance. Some examples of outside factors that will affect the amount of cases opened: (1) Records by the U.S. Attorney's offices and (2) an increase number of alleged sex referred to the Public Integrity Section which may require the appointment of an Independent Counsel.

PERFORMANCE MEASUREMENT TABLE: PRESENTED BY DECISION UNIT

NAME OF DECISION UNIT: INTERNATIONAL		PERFORMANCE INDICATOR INFORMATION					PERFORMANCE TARGETS AND ACTUAL RESULTS					
Type of Indicator	Performance Indicators	1993 Actual	1994 Actual	1995 Target Estimate	1996 Target	1997 Target						
Input	1. Number of Feder./State extradition requests. 2. Number of foreign extradition requests. 3. Mutual Assistance requests received.	320 281 498	324 289 926	600 300 300	900 400 950	500 300 300						
Output/Activity	4. Number of Federal/State extradition requests closed. 5. Number of foreign extradition requests closed. 6. Mutual assistance requests closed.	369 193 476	340 198 453	300 200 400	300 200 500	200 200 400						
Intermediate Outcomes	Not Applicable.											
End Outcomes	Not Applicable.											
Productivity/Efficiency	7. Extradition requests closed per professional/attorney 8. Mutual assistance requests closed per professional/attorney	10 8	10 8	13.5 10.8	13.5 10.8	11 10.8						
A. Definitions of Terms or Explanations for Indicators:												
<p>Item #1 - Federal/State Extradition Requests - Those extradition requests made by the United States to return fugitives from abroad. The Office of International Affairs (OIA) ensures that the extradition requests submitted by the United States meet the requirements of the treaties and foreign law by advising Federal and state prosecutors on preparing the requests.</p> <p>Item #2 - Foreign Extradition Requests - Those extradition requests made by foreign governments to return fugitives located in the United States. OIA reviews these requests for sufficiency under the applicable treaty and U.S. law. It also supervises and assists in the litigation of foreign requests by the U.S. Attorney's Office.</p> <p>Item #3 - Mutual Assistance Requests - OIA acts as the central authority, advising federal and state prosecutors on the preparation of all requests submitted by the United States seeking evidence from foreign countries.</p>												

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<p>B. Factors Affecting FY 96 Program Performance. None of the factors affecting the number of citations and issued legal judgments cases we process are within our control. The work in these areas is almost totally reactive. When a fugitive flies to another country (or from another country to here), the Office is called upon by the Federal and state (or foreign) governments to review the conditions of mutual legal assistance process. There are several factors which can affect the probability of a fugitive's flight: (1) the increasing case and cost of international travel, (2) tighter restrictions at borders, and (3) expanded communications capability enabling it easier to contact international crime and order to transfer proceeds of crime to other countries.</p>	<p>C. Factors Affecting FY 96 and FY 97 Performance. None of the factors controlling the number of citations and issued legal judgments cases we process are within our control. The work in these areas is almost totally reactive. When a fugitive flies to another country (or from another country to here), the Office is called upon by the Federal and state (or foreign) governments to review the conditions of mutual legal assistance process. There are several factors which can affect the probability of a fugitive's flight: (1) the increasing case and cost of international travel, (2) tighter restrictions at borders, and (3) expanded communications capability enabling it easier to contact international crime and order to transfer proceeds of crime to other countries.</p>
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PERFORMANCE MEASUREMENT TABLE: PRESENTED BY DECISION UNIT

NAME OF DECISION UNIT: LITIGATION SUPPORT		PERFORMANCE TARGETS AND ACTUAL RESULTS						
PERFORMANCE INDICATOR INFORMATION		1993 Actual	1994 Actual	1995 Target	1995 Estimate	1995 Target	1997 Target	
Type of Indicator	Performance Indicators							
Input	*1. Title III Applications Received	987	1,061	1,000	1,064	1,300	1,350	
	*2. Prisoner Transfer Requests Received	766	1,500	1,000	993	1,100	1,200	
Output/Activity	*3. Title III Applications Reviewed	987	1,061	1,000	1,064	1,300	1,350	
	*4. Prisoner Transfer Requests Reviewed	721	1,566	1,000	993	1,100	1,200	
Intermediate Outcome	Not Applicable	--	--	--	--	--	--	
End Outcome	*5. Prisoners Transferred	239	532	300	224	400	450	
Productivity/Efficiency	*6. Title III Applications Reviewed/Attorney	123	177	167	177	193	121	
	*7. Prisoner Transfer Requests Reviewed/Attorney or Professional	72	157	100	99.6	110	120	
A. Definitions of Terms or Explanations for Indicators:								
<p>Item #1 - Title III Application - The Criminal Division's Office of Enforcement Operations (OEO) is responsible for reviewing all requests for electronic surveillance pursuant to 18 U.S.C. 2510 et seq. In federal investigations and recommends approval or disapproval to the Assistant Attorney General. In addition, OEO attorneys provide training and legal and policy advice and litigation assistance on electronic surveillance and related telecommunications matters to the U.S. Attorney's Offices and federal law enforcement agencies, and perform a myriad of other functions relating to the coordination and implementation of electronic surveillance law and policy in federal investigations.</p> <p>Item #2 - Prisoner Transfer Requests - OEO also reviews and approves or disapproves requests for the transfer of American prisoners from foreign countries to the United States for services of their nations, as well as requests for the transfer of foreign prisoners from American prisons to their own countries. This activity is mandated by treaties and authorized pursuant to 18 U.S.C. 4100-4115.</p>								

A. Definitions of Terms or Explanations for Indicators:

Item #1 - Title III Application - The Criminal Division's Office of Enforcement Operations (OEO) is responsible for reviewing all requests for electronic surveillance pursuant to 18 U.S.C. 2510 et seq. in federal investigations and recommends approval or disapproval to the Assistant Attorney General. In addition, OEO attorneys provide training and legal and policy advice and litigation assistance on electronic surveillance and related telecommunications matters to the U.S. Attorney's Office and federal law enforcement agencies, and perform a myriad of other functions relating to the coordination and implementation of electronic surveillance law and policy in federal investigations.

Item #2 - Prisoner Transfer Requests - OEO also reviews and approves or disapproves requests for the transfer of American prisoners from foreign countries to the United States for services of their sentences, as well as requests for the transfer of foreign prisoners from American prisons to their own countries. This activity is mandated by statute and authorized pursuant to 18 U.S.C. 4100-4115.

B. **Further Affecting FY 96 Program Performance.** The number of Title III Applications received by OSO is not within our control. However, we are projecting an increase due to the proposed amendment to the existing provision of Title III, currently cited as Title 18, United States Code, Section 2381 (1) (b). Currently, under the present existing statute, the Government must show that a subject will use various and changing telephones with the specific intent of deriving law enforcement surveillance before it can obtain a court order to intercept conversations over those telephones. This is a difficult standard for law enforcement to meet and, therefore, fewer Title III applications are currently submitted under this statute. The proposed amendment would ease the requirement that law enforcement establish the subject's specific intent to derive surveillance before receiving authorization to intercept telephones under this provision, and would thereby make it easier for law enforcement to obtain Department approval and court authorization to tap the various telephones a subject may use. Given that criminals, particularly drug dealers, are increasingly using various and changing telephones frequently mobile cellular telephones and closed cellular telephones over which to conduct their illegal activity, OSO anticipates that the law enforcement agencies will submit a greater number of these types of applications, in addition to the more common Title III applications, in the coming fiscal year.

In addition, currently, there are projects that occur that will increase the number of prisoner transfer requests significantly. For example, in 1997, the Attorney General's Pilot Program with Mexico began. This program's objective was the increased repatriation of suitable Mexican inmates incarcerated in United States federal prisons. The project resulted in the accelerated transfer of Mexicans, beginning in December 1997, through the end of 1998. The second yearly rate of transfers to Mexico is approximately 100.

C. **Further Affecting FY 96 and FY 97 Performance.** Given the increased workload with the Oklahoma City bombing and the anticipated impact of the Anti-Terrorism legislation, additional resources will be required to maintain our ability to respond quickly and efficiently to requests for electronic surveillance. In addition, with the initiation and implementation of the Southwest Border Initiative, the Criminal Division expects an additional increase in the number of electronic surveillance requests. In order to address this increase, the Division has requested three money positions and \$184,000 for FY 1997. With the addition of United States Attorney resources to the Southwest Border Initiative, the number of electronic surveillance requests will continue to increase at a rapid pace. The additional three money positions and \$184,000 for FY 1997 will help the Division effectively review all electronic surveillance requests associated with the Southwest Border Initiative.

Clinical Division
Salaries and Benefits
Financial Analysis - Program Changes
(Dollars in thousands)

Item	International		Liaison Support		Organized Crime & Narcotics		White Collar Crime		Management & Administration		Total	
	Pos.	Amount	Pos.	Amount	Pos.	Amount	Pos.	Amount	Pos.	Amount	Pos.	Amount
Salaries	4	153									4	153
Benefits	5	158									5	158
Total	9	311									9	311
Total Personnel and Annual Rate	(4)	(155)									(4)	(155)
April 1 -	5	156	0	0	0	0	0	0	0	0	5	156
Total Workyears and Personnel Compensation												
Personnel Benefits		49		113		105		241		113		49
Travel and Transportation		167		28		16		37		17		809
Transportation of Things		22										120
Telephone		27										27
Other Post-Compensation and Utilities		22		14		8		18		9		71
Training and Reproduction		363		386		223		508		239		1,717
Other Services		40		43		24		55		26		187
Equipment and Materials		132		49		29		63		30		225
Total Program Workyears and Obligations Changes Requested, 1977	5	1,044	0	702		404		924		434	5	3,508

Criminal Division
Salaries and Expenses
Justification of Multi-Activity Program Changes
(Dollars in Thousands)

Budget Activity/Program	Initiative Restoration of Base Resources						Total	
	Ex.	WY	Am.	Ex.	WY	Am.	Ex.	WY
Organized Crime and Narcotics	\$404	...	...	...	...	...
White Collar Crime	924	...	...	...	...	...
International	566	...	...	...	...	...
Litigation Support	702	...	...	...	...	...
Management and Administration	434	...	...	...	...	...
Total	\$3,030	...	...	...	...	...

The Department is requesting resources in order to restore eroded base levels of funding in the General Legal Activities organizations. In 1996, the Division has been forced to absorb the costs of inflationary increases which have eroded the Division's base resources. By absorbing these cost increases, the Division has been forced to use funding otherwise "ear-marked" to cover the ever-increasing cost of conducting business.

Criminal Division Subprogram and Program Priority Ranking FY 1997			
BASE PROGRAM		PROGRAM INCREASES	
Program	Ranking	Program	Ranking
Organized Crime and Narcotics	1	International	1
White Collar Litigation	2	Office of International Affairs Restructure	1
International	3	1996 Adjustments to Base	2
Litigation Support	4		
Management and Administration	5		

United States
Bureau of Economic
Development
Department of Commerce
Bureau of Economic Analysis
Fiscal Year 1951-1952

Category	1951		1952		1953		1954		1955	
	Actual	Estimate	Actual	Estimate	Actual	Estimate	Actual	Estimate	Actual	Estimate
Admission (100)	412	2	402	2	402	2	402	2	402	2
Productive Services (100)	70	3	73	3	73	3	73	3	73	3
Dom. Admin. Control and Office Services (100-100)	102	10	107	10	107	10	107	10	107	10
Official Investigating Bureau (101)	1	1	1	1	1	1	1	1	1	1
Accounting and Budget (100-100)	9	3	9	3	9	3	9	3	9	3
Other Legal and Related (100)	10	10	10	10	10	10	10	10	10	10
Personnel Security Services (100)	14	14	14	14	14	14	14	14	14	14
Information and Ann. Group (100-100)	3	3	3	3	3	3	3	3	3	3
Library and Archives Group (100-100)	1	1	1	1	1	1	1	1	1	1
Public Relations, Research and Training (100-100)	0	0	0	0	0	0	0	0	0	0
Technical Services (100-100)	1	1	1	1	1	1	1	1	1	1
Technical Management Services (100-100)	1	1	1	1	1	1	1	1	1	1
Total	797	34	717	34	717	34	717	34	717	34
Washington	720	34	700	34	700	34	700	34	700	34
U.S. Field	15	15	15	15	15	15	15	15	15	15
Total Field	2	2	2	2	2	2	2	2	2	2
Total	797	34	717	34	717	34	717	34	717	34

Criminal Division
Salaries and Expenses
Summary of Attorney and Support Positions/Workyears
FY 1996 - 1997

Appropriated Positions

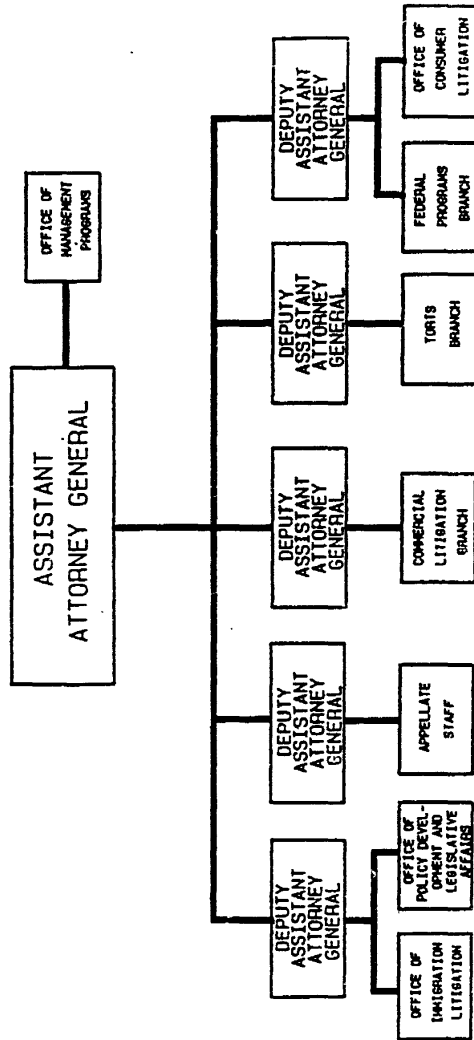
	1996 Appropriation Anticipated					1997 Program Increases					1997 Request Level				
	Attorneys Pos.	Attorneys FTE	Support Pos.	Support FTE	Total Pos.	Attorneys Pos.	Attorneys FTE	Support Pos.	Support FTE	Total Pos.	Attorneys Pos.	Attorneys FTE	Support Pos.	Support FTE	Total Pos.
Decision Unit															
Organized Crime & Narcotics	63	63	28	29	93					0	65	65	28	29	93
White Collar Crime	146	146	71	72	217					0	146	146	71	72	217
International	83	84	63	64	146					0	84	84	63	64	147
Litigation Support	94	95	69	72	163			9	5	9	94	95	69	72	163
Management and Administration	14	14	84	94	98					0	14	14	84	94	98
Total	402	404	315	331	717	0	0	9	5	9	402	404	324	336	740

Reimbursable Positions

	1996 Appropriation Anticipated					1997 Program Increases					1997 Request Level				
	Attorneys Pos.	Attorneys FTE	Support Pos.	Support FTE	Total Pos.	Attorneys Pos.	Attorneys FTE	Support Pos.	Support FTE	Total Pos.	Attorneys Pos.	Attorneys FTE	Support Pos.	Support FTE	Total Pos.
Decision Unit															
Organized Crime & Narcotics	0	4	0	15	0					0	0	0	4	0	19
White Collar Crime	0	0	0	0	0					0	0	0	0	0	0
International	0	0	0	38	0					0	0	0	0	0	38
Litigation Support	0	3	0	0	3					0	0	0	3	0	3
Management and Administration	0	0	0	0	0					0	0	0	0	0	0
Total	0	7	0	53	0	0	0	0	0	0	0	0	7	0	60

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CIVIL DIVISION



Approved:  Date: 7-3-90
 DICK THIBODEAU
 Attorney General

**Civil Division
Salaries and Expenses
Summary of 1994 Changes
(Dollars in thousands)**

Activity/Program	1994 President's Budget Request		Congressional Appropriation Action on 1994 Budget		Adjustments in Perm. Pay, \$		Recommendation		1994 Appropriation Act Included	
	Est.	Net Amount	Est.	Net Amount	Est.	Net	Est.	Net Amount	Est.	Net Amount
Federal Appellate Activity.....	76	77	86,850	...	...	...	...	...	76	77
Ports Litigation.....	210	212	29,857	...	...	...	...	...	205	207
Commercial Litigation.....	323	313	49,489	...	...	...	...	...	309	319
Federal Programs.....	150	144	15,004	...	...	...	...	...	150	144
Conservation Litigation.....	27	27	1,160	...	...	...	...	...	27	27
Investigative Litigation.....	57	61	7,156	...	...	...	...	...	54	62
Management and Administration.....	110	113	11,654	...	...	...	...	...	99	108
Total.....	961	988	137,000	-3	-3	-7,955	...	...	928	954

Congressional Appropriations Actions on 1994 Budget: Congress denied requested increases of \$4,000,000 for Automated Litigation Support for A-12, 3 positions, 3 workyears, and \$13,000 to fund the 1994 Immigration Initiative, and \$1,771,000 for sundry increases.

Adjustments in Permanent Positions and Workyears: This adjustment transfers 14 positions and 14 workyears from the direct appropriation to a reimbursable status to accurately reflect the positions associated with the Bonneville Power Administration litigation and reduce the Division's permanent position and workyear ceiling by 14 positions and 16 workyears.

Civil Division
 Salaries and Expenses
 Summary of Estimated Expenses
 (Dollars in thousands)

	1973 est. Budget			1974 Actual			1994 Appropriation			1997 Base			1997 Reallocs			Increase/Decrease		
	Per.	MG	Amount	Per.	MG	Amount	Per.	MG	Amount	Per.	MG	Amount	Per.	MG	Amount	Per.	MG	Amount
Relocation for Process																		
Federal Appellate	76	77	96,469	76	76	96,431	76	77	96,609	76	77	96,271	76	77	96,271	...	...	...
Special Litigation	210	212	26,753	210	210	27,223	205	207	29,160	205	207	29,130	205	207	29,130	...	...	...
Commercial Litigation	323	324	44,573	323	321	47,444	309	319	42,434	309	319	42,398	309	319	42,398	...	...	...
Federal Programs	150	144	15,314	150	143	15,446	150	144	14,084	150	144	14,076	150	144	14,076	...	...	...
Consumer Litigation	25	29	4,415	25	28	4,243	25	29	4,243	25	29	4,243	25	29	4,243	...	...	...
Immigration Litigation	54	57	6,781	54	55	6,264	54	57	7,073	54	57	7,073	54	57	7,073	...	...	...
Administrative	110	98	11,000	110	98	10,226	98	108	11,654	98	108	12,261	98	108	12,261	...	...	...
Total	998	992	119,565	998	990	119,577	998	996	130,365	998	996	127,181	998	996	129,263	...	...	3,372
Releasable Backlogs	26	26	...	23	23	...	26	26	...	26	26	...	26	26	...	...	...	...
Total Backlogs	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...
Overtime	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...
Total comparable backlogs	996	996	...	975	975	...	1,000	1,000	...	1,000	1,000	...	1,000	1,000	...	...	...	...

1/ Reflects a one-time reallocation of FTE to other organizations.

**Civil Division
Budgetary Resources
Summary of Revenues
(Dollars in thousands)**

Expenditures	1975 Actual		1976 Estimate		1977 Estimate		Increase/Decrease	
	Est.	Act.	Est.	Act.	Est.	Act.	Est.	Act.
Collections by Source:								
Office of the Attorney General.....	...	86	...	...	...	...	...	...
Office of Debt Collection.....	...	4,933	...	...	...	...	...	...
Revenue from Administration.....	...	1,229	...	...	...	...	...	...
Department of the Army.....	...	26,418	...	...	...	...	...	...
Department of the Navy.....	...	640	...	...	...	...	...	...
Department of the Air Force.....	...	11,114	...	...	...	...	...	...
Department of the Treasury, Veterans Trust
U.S. Customs Service.....	...	21,500	...	...	...	...	...	...
Department of the Interior.....	...	12,143	...	...	...	...	...	...
Department of Agriculture.....	...	250	...	...	...	...	...	...
U.S. Customs Service.....	...	75	...	...	...	...	...	...
The White House.....	...	26	...	...	...	...	...	...
Department of Education.....	...	200	...	...	...	...	...	...
Department of Health, Education and Welfare	...	313	...	...	...	...	...	...
Civil Rights Division.....	...	353	...	...	...	...	...	...
National Security Council.....	...	25	...	...	...	...	...	...
Working Capital Fund.....	...	13	...	...	...	...	...	...
Justice Management Division.....	...	9	...	...	...	...	...	...
President's Crime Prevention Council.....
U.S. Postal Service.....
U.S. Coast Guard.....
Inspector General of the Treasury.....
U.S. Marshall Service.....
Budgetary Resources.....	33	51,437	36	51,436	36	47,300	...	-4,236

**Civil Division
Reimbursement Services
Summary of Expenses
(Dollars in thousands)**
(continued)

	1995 Actual		1996 Estimate		1997 Estimate		Increase/Decrease	
	Req.	Av.	Req.	Av.	Req.	Av.	Req.	Av.
Challenges to Process								
Automated Litigation Report .....	...	\$39,112	...	\$27,051	...	\$27,300	...	-\$131
INOCAS/INOCOS Service .....	...	1,541	...	697	...	159	...	-538
Childhood Vaccines	21	2,500	...	4,085	...	24	4,085	...
Refugee Administrative Expenses	12	1,418	...	2,000	...	12	2,000	...
Data Collection Activity .....	...	4,933	...	39,363	...	39,363	...	...
Miscellaneous .....	...	2,861	...	5,302	...	3,441	...	...
Total	33	\$51,427	36	\$53,436	36	\$47,300	...	-\$4,136

Justification of Increase/Decrease, Automated Litigation Report:

The net decrease is due to service requirements in 1994 to provide automated litigation support for various agencies offset by the continued need to support the A-12 case in 1997 funded by the Department of the Navy.

Justification of Increase/Decrease, INOCAS/INOCOS Services:

The decrease is based on the migration of the Office of Asset Forfeiture, Immigration Naturalization Service, Civil Rights Division, and Environment and Natural Resources Division to the Department's office automation system in 1994 and 1997, resulting in either the non-renewal or reduction of reimbursement agreements with these agencies.

Justification of Increase/Decrease, Miscellaneous:

The net decrease is due to the reduction in the requirement for litigation consultants services and transcripts expenses related to the A-12 case funded by the Department of the Navy.

Civil Division
Restoration of Assets
Appropriation of Multi-Billion Program Cases
 (Dollars in thousands)

Budget Activity/Program	Restoration of Assets	
	Est.	Actual
Federal Appellate Activity.....
Torts Litigation.....
Commercial Litigation.....	...	\$3,372
Federal Programs.....
Criminal Litigation.....
Immigration Litigation.....
Prisoner and Administration.....
Total.....	...	3,372

Restoration of Assets

The Department is requesting resources in order to restore eroded base levels of funding in the General Legal Activities Operations. In 1996, the Department has not been able to provide funds for required payments such as pay raises and overtime. The Department's litigation budget for 1997 will drop to \$4.1 billion, down from \$11.5 billion in 1996. The Department's litigation budget for 1998 will drop to \$3.1 billion, down from \$4.1 billion in 1997. These cuts, driven by the need to cover unfunded cost hikes, could not come at a worse time for either program. Some of the biggest Out of Federal Claims cases ever filed against the United States threaten multi-billion dollar losses without the AS services needed to accomplish discovery and prepare for upcoming trials. As the Division prepares for another massive A-12 trial in connection with the \$1 billion McInerney Douglas claim, it must also prepare for a torrent of discovery and motions which threaten to dwarf the A-12 case both in terms of the monetary stakes and the discovery requirements. Request is also needed for the Department to assist in covering shortfalls in AS funding. Without a restoration of base funding for this program, only token support will be available, increasing domestically the likelihood of large government losses.

The ability of the Division to defend the United States in a range of impending lawsuits will be severely compromised if funding for foreign counsel is not restored. Suitable reductions in the number of attorneys employed in the Division over the next two years as the Departments of State and Defense continue to downsize their overseas operations. The resulting labor litigation will impose a significant burden on the foreign counsel program and place the Treasury at considerable risk. Restoration of \$69,000 for Commercial Litigation's foreign counsel program is essential to preserving the interests of the United States in these and other cases brought in foreign courts.

**Civil Division
Salaries and Expenses
Proctor Performance Information
Government Performance and Results Act Reimbursements**

Mission:

The Civil Division represents the interests of the United States, its constituent organizations and its officials and employees, in any civil or criminal matter within its responsibility and pending in any court, federal or state, which is not otherwise assigned to any other Department of Justice litigating division. It seeks to ensure that the Federal Government speaks with one voice with respect to its view of civil law while serving the diverse interests of the client agencies it represents. This balance is gained by either personally handling or by coordinating and monitoring all litigation within the Civil Division's purview.

Organizational Goals:

1. To prevail on behalf of the United States in civil litigation in defense and in assertion of federal programs and policies.
2. To protect the U.S. Treasury against unwarranted monetary claims by winning lawsuits and obtaining favorable settlements.
3. To recover money owed to the United States by prevailing in civil actions involving fraud, loan default, misuse of benefit and grant programs, contract default and unjustified judgments.
4. To promote statutory reforms that make civil law understandable and meaningful to the American people.

External Factors:

The Civil Division has limited control over the cases it receives. The majority of cases it retains -- cases filed in national courts (Court of Federal Claims, Court of Appeals for the Federal Circuit, Court of International Trade), cases filed in foreign courts and claims filed in connection with the Radiation Exposure Compensation Act or the National Childhood Vaccine Injury Act -- fall within the Civil Division's exclusive jurisdiction. The remaining minority of cases are retained for reasons of economy or the need for a unity of approach. Issues of economy may relate to expertise or technological support that can most feasibly be provided by the Division. Unity of approach is critical when cases (or families of cases) of national importance threaten the U.S. Treasury. Most of the Civil Division's cases are defended by money from the U.S. Treasury. Trial dates, discovery schedules, etc., are frequently set by the courts. These factors are the major determinants of the Civil Division's work.

Page _____ **Amount** _____

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Cases involving enormous financial stakes, new laws, major initiatives or controversial issues are often appealed to the Appellate staff's caseload. These suits include challenges to military base closures under the Defense Base Closure and Realignment Act and major legislation such as the Brady Act and the Religious Freedom Restoration Act. Appellate Staff cases also involve legal challenges to the Executive Order on the Federal Government's authority to detain and deport non-citizens, and the successful defense against litigation challenging the enforcement of immigration and interdiction policies of the Immigration and Naturalization Service and the Food and Drug Administration's authority to protect the public. Appellate staff attorneys routinely draft memoranda to the Solicitor General on appeals of adverse judgments, prepare briefs on the merits of cases and present oral arguments before the Supreme Court. Appellate Staff attorneys also prepare petitions for writs of habeas corpus, writs of certiorari, writs of prohibition, and writs of mandamus. In 1993, Supreme Court and certiorari petition cases comprised nearly 40 percent of the Appellate Staff's workload.

Appellate staff attorneys spend the majority of their time litigating cases -- 77 percent in 1995. The Appellate staff, in its role as the Government's expert in court of appeals litigation, also devotes significant time to advising the Division on legislative initiatives, and to representing the Government in appellate court. The Appellate staff also provides legal assistance to the Attorney General's Office and the Attorney General's Office's Office of the Inspector General. In 1995, the Appellate staff reported an average of 27 days of unpaid overtime during 1995. The total overtime hours worked by Appellate staff attorneys translate into six additional workyears.

Accomplishments: In 1995, the Appellate Staff prevailed in 85 percent of its personally and jointly handled cases, a record which has been maintained by the staff in subsequent years. The staff also exceeded its other performance target under the Government Performance and Results Act. The staff also exceeded its other performance target -- the Solicitor General agreed with 91 percent of the staff's memoranda recommending appeals of adverse judgments. The Appellate Staff achieved notable victories in a wide range of appellate litigation:

The Appellate Staff participated as amicus and worked closely with the New Jersey Attorney General and the U.S. Attorney for New Jersey in *Edwards v. Aguillard*, a challenge to the New Jersey Supreme Court to the constitutionality of "Balanced Curriculum" Act, which provides for registration and community notification regarding convicted sex offenders. The staff also participated in *Edwards v. Aguillard*, which was decided in favor of the state, and that it violated constitutional provisions such as privacy rights, double jeopardy, and unusual punishment. The New Jersey Supreme Court upheld the statute, relying extensively on statistical information on sex crimes and recidivism compiled in the staff's brief, and adopted the staff's analysis of whether a statute is regulatory or unconstitutionally punitive.

In *Action for Children's Television v. Federal Communications Commission (FCC)*, the staff, in conjunction with the FCC, successfully defended the constitutionality of a statute intended to protect children from exposure to indecent programming. The statute required the FCC to regulate the content of television broadcasts carrying indecent programming between 6 a.m. and midnight. The court of appeals found that the government has a compelling interest in protecting children from indecent broadcasts, as well as in facilitating parental supervision. It further found that the 6 a.m. to midnight safe-harbor does not unduly restrict the rights of adults to view indecent programs. The Supreme Court has denied certiorari in this case.

The staff successfully defended the constitutionality of the federal child pornography record keeping requirements in *American Library Association v. PBA*. The requirements were enacted to combat the sexual exploitation of children by providing that producers maintain records documenting the identity and age of performers appearing in sexually explicit scenes.

In *Chiles v. United States*, the State of Florida alleged that the United States has failed to enforce immigration policies by not deporting illegal aliens; that it has failed to provide federal funding under the AFDC and Medicaid programs for illegal aliens, leaving the burden of providing health care to the state; and that it has allowed illegal immigration to reach such levels as to violate the Invasion and Guarantee Clauses of the Constitution, as well as the Tenth Amendment. Florida sought to compel the United States either to take further action to enforce the laws governing the entry of aliens, or to refund the state's financial burden. The court agreed with the Appellate Staff and affirmed the lower court's dismissal.

The Appellate Staff protected the Treasury from more than \$200 million in damages sought by approximately 2,500 Chilean fruit growers and exporters in *Balmaceda v. United States*. The plaintiffs claimed that the Food and Drug Administration's (FDA) decision to suspend all fruit imports from Chile after the FDA found what it believed to be cyanide in two Chilean grapes was wrongful and effectively shut down the Chilean fruit industry for the 1995 season. The staff successfully defended the lower court's dismissal in the court of appeals and the Supreme Court subsequently denied certiorari. In addition to protecting the treasury, the decision affirms the FDA's discretionary authority to protect public health and safety.

In *Shalala v. Guernsey Memorial Hospital*, the staff successfully argued in the Supreme Court that Medicare regulations properly require that costs associated with refinancing debt to gain the benefit of lower interest rates must be amortized over the life of the old debt. The decision will save Medicare approximately \$100 million nationwide.

PERFORMANCE MEASUREMENT TABLE: PRESENTED BY DECISION UNIT

NAME OF DECISION UNIT: Civ-R Division -- Appellate Staff		PERFORMANCE TARGETS AND ACTUAL RESULTS					
PERFORMANCE INDICATOR INFORMATION							
Type of Indicator	Performance Indicators	1993 Actual	1994 Actual	1995 Actual	1996 Target	1997 Target	
Input	1. Number of cases pending beginning of year 2. Number of cases received during year	723 1,628	603 1,511	609 1,415	645 1,500	660 1,589	
Output/Activity	3. Number of cases terminated during year	1,688	1,515	1,429	1,485	1,500	
Intermediate Outcome	4. Percent of memoranda to which Solicitor General agreed	92%	93%	91%	99%	90%	
End Outcome	5. Percent of closed court of appeals cases won	76%	77%	85%	79%	79%	
Productivity/Efficiency	6. Number of terminations per attorney workyear	28	26	25	25	25	
A. Definitions of Terms or Explanations for Indicators:							
<ul style="list-style-type: none"> Indicators 1, 2 and 3: Case counts for these indicators were derived in a manner consistent with prior budget submissions and refer to personally and jointly handled cases. Indicator 4: These percentages are based on the number of memoranda recommending for or against appeal to which the Solicitor General agreed with the recommendations of the Appellate Staff. 							
B. Factors Affecting FY 95 Program Performance:							
<ul style="list-style-type: none"> Indicators 4 and 5: The Appellate Staff's national perspective as a deep appellate court expertise contributed to the Staff's noteworthy performance. 							
C. Factors Affecting Selection of FY 95 and 97 Targets:							
<ul style="list-style-type: none"> Indicators 5 and 6: Targets are based on the assumption that the federal courts will keep pace with current trends. Any change in court output will have an impact on the Appellate Staff's ability to meet its targets. 							

	Perm. Est.	FY	Amount
Peris Litigation			
1996 Appropriation Anticipated	205	207	\$9,140
1997 Base	205	207	30,510
1997 Estimate	205	212	10,538
Increase/Decrease	...	...	...

[illegible]

Cases arising from the aviation and maritime activities of the Government are quintessential torts Branch damage suits -- the claims are large, the plaintiffs numerous and the discovery extensive. These suits range from maritime disaster and seaman's injury cases to commercial airline and private aircraft accident cases. In addition, affirmative actions to recover monies for Government property damaged during maritime commerce, as well as the costs associated with maritime pollution cleanup, represent a growing portion of the Branch's caseload. With \$5 million awarded in affirmative admiralty cases in 1991, the Branch's opportunities to assist in deficit reduction efforts are significant.

The Branch also handles a wide array of cases alleging Government liability arising under the Federal Tort Claims Act (FTCA). These diverse cases have included claims related to the Vietnam War, the Gulf War, contaminated blood transfusions, federal military operations, and the Tailhook convention. In addition to FTCA litigation, Branch attorneys are responsible for the administration of the FTCA, including initiating changes in Department regulations implementing the Act and providing guidance to all federal agencies on policy issues arising under the Act.

Environmental tort claims involving toxic waste, groundwater contamination and asbestos also fall within the Branch's purview. The Branch defends the Government against claims for monetary damages resulting from alleged death, personal injury or property damage caused by environmental or occupational exposure to toxic substances. Cases include those involving injuries caused by air, surface water or groundwater contamination; construction programs; and environmental regulatory activity. The Branch also is preparing the defense of the United States in cases brought on behalf of over 400 people alleging injuries resulting from Cold-war era human radiation experimentation. Thus far, the Government faces over \$2 billion in claims in these cases.

The Branch represents Government employees in *Elvins* suits, where employees are sued as a result of performing their official duties. These cases generally arise when plaintiffs claim that Government employees—who range from police officers to postal workers—have violated their constitutional rights. The cases have been successful in obtaining retroactive pay, retroactive benefits, and additional pension contributions. The Branch has also been successful in obtaining compensation for the implementation of the Radiation Exposure Compensation Act of 1980, under which over 5,000 claims have been filed.

The Branch also handles claims filed under the National Childhood Vaccine Injury Act of 1986. Prior to the Act, vaccine manufacturers and physicians who administered vaccines were being sued by parents who claimed that their children had suffered severe injuries following immunizations. Threatened by the high number and cost of these lawsuits, United States pharmaceutical companies began to withdraw from the market, raising the genuine possibility that domestic production of vaccines would cease. Congress recognized the severity of the situation and established the Vaccine Program to compensate individuals injured by certain vaccines. To receive compensation under this program, an individual must elect not to pursue a traditional civil action for damages against a vaccine manufacturer or administrator. As a result, the Vaccine Program has reduced the number of lawsuits filed against vaccine manufacturers, physicians, and health care providers, thereby stabilizing the vaccine market and providing individuals a streamlined program to obtain compensation for vaccine-related injuries.

Initially, over 4,200 vaccine petitions were filed, creating an immediate backlog of cases. In 1995, the Branch made significant progress in reducing the backlog to 1,800 cases, but these gains likely will be offset by an increase in vaccine litigation. In fact, significantly more new cases were filed in 1995 than in 1993 or 1994, a trend which is expected to continue. Contributing to this increase are the Government's initiative to double the number of vaccines administered to children before the age of two and the increased distribution of vaccines for immunodeficient children and children with chronic diseases. In addition, the Branch has received reports that individuals who contracted HIV from contaminated blood products in the early 1980's could have an impact on the program in the future.

In 1995, the Tort Branch had a total caseload of 4,874 cases. Tort Branch attorneys spend the majority of their time litigating cases -- 84 percent in 1995. Most of the remaining time is spent advising client agencies and the U.S. Attorney's Offices. In 1995, the average number of cases per attorney was 32. Attorneys reported an average of 45 days of unpaid overtime in 1995. The total overtime hours worked by Tort Branch attorneys translate into over 26 additional workyears.

ACCOMPLISHMENTS: The Tort Branch's target under the Government Performance and Results Act is to defeat 90 percent of the dollar claims in its defensive trial cases disposed. During 1995, the Branch defeated 95 percent of dollar claims in defensive cases disposed, saving the Treasury over \$1.4 billion. The Vaccine Program set a performance target of terminating 15 percent of its caseload. The Program exceeded its target in 1995, terminating 27 percent of its caseload. The unusually high number of terminations in 1995 was due to the culmination of an accelerated preliminary review process implemented by the court in 1993. The Tort Branch achieved significant victories in a wide range of tort litigation in 1995:

Several aviation and admiralty cases were among the most notable. The Branch prevailed in *Casation v. United States*, a suit seeking \$12 million in damages for the wrongful deaths of a pilot and passenger killed in the crash of a Cessna 182 in California. The Government was absolved of all liability when the court found that the controllers and weather briefers were not negligent in providing assistance to the aircraft upon its encounter with a severe downdraft. The Branch also defeated claims arising out of numerous other aircraft crashes, and recovered nearly \$6 million in cleanup costs arising out of vessel-caused pollution in *Harbo Mark, Gabbart, Eastern Light and Enderby*.

In litigation filed under the FICA, the Branch prevailed in *Mediation for Millers, Inc. v. United States*, a suit seeking \$279 million based on a product liability claim related to the Department of Energy's leasing of cesium capsules. In *Forrest v. Eli Lilly*, the Branch defeated a suit claiming negligence and fraud on the part of the Food and Drug Administration in approving the drug Prozac, which allegedly caused the plaintiffs' decedent to commit a murder-suicide.

The Branch secured important victories in several environmental tort decisions: In *Industrie, Eclair and Electric v. American Electric Power Co.*, the district court, in awarding out of pocket expenses to chemicals and pesticides which leaked out of a sanitary landfill at Pacific Air Force base, and in *Environmental Defense Fund v. United States*, the district court dismissed a \$4.5 million claim for destruction of a building allegedly caused by groundwater contamination from Hesse Air Force base. The Branch also secured voluntary dismissals -- without cost to taxpayers -- in *Able, Korman and HX (Grant Labor Arbitration Council)*. These cases involved hundreds of plaintiffs and millions of dollars in claims.

In vaccine litigation, the Branch scored yet another victory when the Supreme Court ruled in favor of the Government and against the U.S. Court of Appeals in *Malina v. Whitehouse*, a case that will save the Government \$100 million. In *Malina v. Whitehouse*, the Branch successfully persuaded the Supreme Court Assistant Attorney General, a former U.S. Attorney, two Assistant U.S. Attorneys, an FBI agent and two federal bank examiners against a suit filed by a banking executive.

Finally, during the past decade, the Torts Branch defeated billions of dollars in claims asserted in over 600 tort suits arising from bank and thrift failures. No adverse final decision has been entered in any case and no money has been paid from the Judgement Fund. In addition, if the United States had settled or received adverse decisions in these suits, it inevitably would have spurred additional litigation.

PERFORMANCE MEASUREMENT TABLE: PRESENTED BY DECISION UNIT

NAME OF DECISION UNIT: Civil Division -- Tort Branch		PERFORMANCE TARGETS AND ACTUAL RESULTS					
PERFORMANCE INDICATOR INFORMATION							
Type of Indicator	Performance Indicators	1993 Actual	1994 Actual	1995 Actual	1996 Target	1997 Target	
Input	1. Number of cases pending beginning of year 2. Number of cases received during year	4,740 986	4,396 751	3,978 896	3,609 945	3,610 982	
Output/Activity	3. Number of cases terminated during year	1,344	1,169	1,265	944	993	
Intermediate Outcome	4. Percentage of dollar claims defeated in closed cases	91%	94%	95%	96%	96%	
End Outcome	5. Dollars defeated (in millions)	\$3,110	\$2,479	\$3,622	\$2,425	\$2,547	
Productivity/Efficiency	6. Total dollars defeated per attorney workyear (in millions) 7. Percentage of Childhood Vaccine cases terminated	\$21.4 19%	\$16.4 16%	\$24.5 27%	\$17.6 17%	\$18.4 19%	
A. Definitions of Terms or Explanations for Indicators:							
• Indicators 1, 2 and 3: Case counts for these indicators were derived in a manner consistent with prior budget submissions and refer to personality and jointly handled cases.							
B. Factors Affecting FY 95 Program Performance:							
• Indicators 3 and 7: The 1995 data is driven by the anomaly of an unusually high number of Childhood Vaccine case terminations in 1995. These terminations are the culmination of an accelerated preliminary review process implemented by the court in November 1993.							
C. Factors Affecting Selection of FY 96 and 97 Targets:							
• Indicator 4: Tort suits are among the largest and most resource-intensive suits handled by the Civil Division. They can involve large numbers of claimants, enormous collections of documentary evidence and lengthy trial frames. The events precipitating these suits are largely exogenous to the Civil Division. However, as long as budget resources allow the Civil Division to maintain the infrastructure vital to the success of these massive cases, these performance targets should be attainable.							
• Indicators 5 and 6: The targets are based on the average amount sought in defensive cases closed in 1995. The decline in 1996 and 1997 reflects a decline in the number of terminations.							

The Branch represents the interests of the United States in foreign courts -- a statutory responsibility that it fulfills jointly with the Civil Division. Foreign counsel are hired by the Division and under the Branch's supervision represent the United States in lawsuits in 183 countries. Supervision of European litigation is conducted by an overseas office in London. The majority of the Branch's foreign litigation, 73 percent in 1995, is defensive and covers a wide range of commercial and tort cases. The Branch's affirmative foreign litigation involves financial and health care fraud, bid-ripping, student and medical school loan defaults, landlord-tenant matters and admiralty and shipping suits. The Branch also conducts foreign asset searches, particularly in connection with financial institution cases. The fastest growing area of the foreign litigation caseload involves labor suits filed by foreign national employees of U.S. companies and military contractors in Europe. The Branch has also handled suits by U.S. companies and military contractors against foreign governments and the U.S. Department of Defense. The number of foreign national employees has been reduced by as much as 20 percent over the past five years. By 1997, the State Department plans to close another 13 diplomatic missions, resulting in an additional 21 percent reduction of foreign national employees. Concurrently, the United States Information Agency and the Agency for International Development have informed the Civil Division that they plan to reduce their foreign presence by an estimated 2,000 employees. These reductions are expected to generate a surge of lawsuits against the United States. Additional lawsuits are likely to be generated by the diplomatic restructuring of the U.S. embassy in Germany and the continued military presence in Europe. These suits will place a significant burden on the Branch's foreign litigation caseload. In 1995, the Branch's foreign litigation caseload totaled 1,129 cases in 1995.

The Branch also handles a wide spectrum of lawsuits involving claims for money and property. Attorneys represent the Government's financial and regulatory interests in large and complex Chapter 11 bankruptcies, including those involving defense contractors, commercial airlines and other major corporations. Because of the Branch attorneys' breadth of bankruptcy expertise, many U.S. Attorney Offices and other client agencies rely on Branch services and counsel in handling matters of particular difficulty. Attorneys also represent the Secretary of the Interior in suits by Indian tribes against the federal government, and the Secretary of the Interior for services that should be paid by the companies to their claimants under existing employer health plans. Major litigation brought against schools, banks, state guarantee agencies and the Department of Education by students challenging the enforceability of their student loans is also handled here. Branch attorneys represent the Rural Electrification Administration, the Bonneville Power Administration (BPA) and other similar agencies in all of the large-dollar, large-document cases in which they are parties. In 1995, the Civil Division, acting on behalf of BPA, ended 14 years of litigation spawned by the ill-fated nuclear power plants to be constructed by the Washington Public Power Supply System. Under an agreement with Climacoil, Inc., BPA paid \$35 million to settle \$1 billion in bondholders' claims. In 1995, this corporate and financial caseload totaled 347 cases.

Branch attorneys handle a wide variety of litigation involving patents, trademarks, copyrights, trade secrets and other related matters. Attorneys defend the Government in patent and copyright infringement suits as well as in legal challenges to actions of the Register of Copyrights. The Branch brings suits to enforce Government-owned patents, seeks to assign patents to the Government for inventions arising from Government-sponsored research, enforces patent indemnity agreements, cancels patents issued as a result of fraud and enforces the deposit requirements of the Copyright Law on behalf of the Library of Congress. In addition to their trial work, attorneys appear before the Patent and Trademark Office on a variety of administrative proceedings. The intellectual property caseload totaled 88 cases in 1995.

The Branch represents the United States in Court of International Trade cases (except those involving the International Trade Commission) and in subsequent appeals to the Court of Appeals for the Federal Circuit. Attorneys handle litigation concerning dumping penalties, international trade agreements involving the United States Customs Service, tariff classification and valuation of imported merchandise, the collection of import duties and a variety of other actions affecting the administration of the customs laws of the United States. In 1995, the Branch experienced an influx of cases challenging the Customs Service's assessment of harbor maintenance fees, which swelled the International Trade caseload to 3,361 cases.

Branch attorneys spend the majority of their time litigating cases -- 90 percent in 1995, the highest percentage in the Division. The remainder of the attorneys' time primarily is spent advising client agencies and the U.S. Attorneys Offices. In 1995, the average number of cases per attorney was 43. Attorneys reported an average of 49 days of unpaid overtime during 1995. The total overtime hours reported by Commercial Litigation Branch attorneys translate into 43 additional workyears.

ACCOMPLISHMENTS: Because the mission of the Commercial Litigation Branch is to protect and enrich the U.S. Treasury by prevailing in monetary claims, the Branch sets targets under the Government Performance and Results Act which track the outcome of monetary claims. In 1995, the Branch won \$683 million -- 95 percent of the monies sought in affirmative cases, far exceeding its 80 percent performance target. In defensive litigation, the Branch's target is to defeat 75 percent of the amount sought in at least 70 percent of the cases resolved. In 1995, the Branch also exceeded this target -- in 30 percent of the cases resolved, at least 75 percent of the amount sought was defeated. Specific examples of the Commercial Litigation Branch's performance over the past year follow:

The Branch, in conjunction with the U.S. Attorneys, won judgments and settlements of \$475 million in fraud cases in 1995. Additionally, the Civil Division reached a major milestone in September 1995 when total recoveries in cases filed under the qui tam amendments topped \$1 billion. In a representative qui tam case, an \$88 million settlement was achieved in *United States ex rel. Ronald V. Lucas v. Lockheed Martin*. Lucas was charged with knowingly shipping non-conforming and defective parts to the Navy, Army and Air Force, and engaging in false and fraudulent testing practices.

Health care fraud continues to be the focus of much of the Branch's effort. After an extensive multi-agency investigation led by the Inspector General of the Department of Health and Human Services and the FBI, the Civil Division -- in conjunction with various U.S. Attorneys and the Criminal Division -- secured one of the largest settlements ever obtained in a health care fraud case. *Carmark*, a provider of home infusion, oncology, hemophilia and human growth hormone services, agreed to pay \$85 million in civil restitution, damages and penalties for the submission of inflated bills, improper payments to induce referrals and unlawful waivers of co-payments. Criminal fines and recoveries to the states for their share of Medicaid and other state health care programs pushed the total settlement over \$200 million. In addition, the Branch recovered \$22 million in a favorable settlement of qui tam cases which alleged that Blue Cross/Blue Shield of Michigan performed inadequate audits of hospital Medicare cost reports and then backdated the paperwork to conceal the errors.

Moreover, the Branch achieved significant settlements in 1995 in its Medicare Secondary Payer litigation: \$24 million from Blue Cross/Blue Shield of Michigan, \$10 million from Travelers Insurance and \$27 million from 67 Blue Cross/Blue Shield companies -- a matter initiated by the companies and settled before court filing. In

bankruptcy litigation, the Branch recovered over \$124 million, including \$70 million in Pan American Airlines, \$27 million in Mark A. Rich and \$16 million in New Miami Irrigation and Drainage. In financial institution cases, the Branch secured nearly \$20 million, including a \$10.8 million judgment in Banker.

Branch attorneys obtained a favorable ruling in the Court of Appeals for the Federal Circuit in *Enron v. Advanced Technologies Services v. United States*, a bid protest of a \$100 million cancer and AIDS research contract awarded by the National Cancer Institute. The Branch won a significant victory in the Court of International Trade in *Enron v. United States*, in which the court nullified the application of the Government's embargo on the importation of wildlife products from Taiwan, after Taiwan challenged the denial of entry of albino tigers.

In patent litigation, Branch attorneys secured a summary judgment in *Ischordia v. United States*, a suit by an Army engineer seeking over \$6 million in compensation for the Government's use of his patented bomb deactivator. The Court of Federal Claims ruled that the Government has a royalty-free license to use the invention.

In a significant foreign litigation case, *United States v. Jurek*, a Canadian court upheld the Branch's position and ordered recognition and enforcement of a \$100 million judgment in favor of the Government. In *United States v. Jurek*, the Canadian court ruled that the Government is entitled to a \$1.5 million in Old Dominion Corp. an overseas search for assets belonging to Larry Baretta who was convicted of defrauding the Government. The Branch also prevailed in *Mattek Building*, a case involving a vessel that was bound for Iraq at the outbreak of the Persian Gulf War, but was diverted to Italy where both the vessel and its contents were auctioned. The Italian court awarded the United States \$1.1 million in 1993, bringing the total recoveries in the case to \$1.5 million. Finally, the Branch achieved another settlement in 1993 in connection with *Airway Bid-Rigging*, an ongoing fraud suit involving bid-rigging on construction contracts at U.S. military bases in Japan. Recoveries in this case through 1993 exceeded \$11 million; the Branch has achieved settlements with 25 contractors and is still pursuing 30 contractors in the litigation.

PROGRAM RESTORATION

Para.	Est.	Amount
Reim.	...	\$ 655
...
...	...	2,717

Foreign Litigation.....
Automated Litigation Support.....

Foreign Litigation

Base funding for foreign counsel has dropped from \$2.5 million in 1995 to \$1.8 million in 1996. This 26 percent decrease comes at a time when embassy closures and ensuing reductions-in-force have upped a stake of lawsuits against the United States. These suits are expected to increase as embassy staffing cuts deepen -- the State Department has informed the Civil Division that a 7 percent cut in embassy personnel in 1996 will be followed by a 10 percent cut in 1997. Additional suits are expected to be generated as a result of planned reductions in United States Information Agency and Agency for International Development personnel, and the continued military defense of Taiwan. At the current funding level, the Commercial Litigation Branch will be unable to adequately defend the United States in this type of litigation. The Commercial Litigation Branch is the only entity with authority to represent the United States in risk, as the Commercial Litigation Branch is the only entity with authority to represent the United States in foreign courts. Indeed, restoration of \$455,000 is essential to preserving the interests of the United States in these and other cases brought in foreign courts.

Automated Litigation Support:

Over the last several years the Commercial Litigation Branch has been tussled with defending some of the largest claims ever lodged against the Government. Both with respect to the millions of dollars claimed and the huge numbers of claims. The Commercial Litigation Branch has received most of its funding through reimbursements from the Department of Navy -- without which the Government would have had to fold its hand and lose some \$3 billion. Today, the Branch is preparing for a barrage of savings and loan cases which threaten to dwarf the A-12 case both in terms of the monetary stakes and the discovery requirements. It must also contend with military contract dispute cases, Alaska timber cases and health care fraud cases -- all very big cases by any standard. Reimbursements for Automated Litigation Support (ALS) dropped from \$11.5 million in 1993 to \$5.7 million in 1998, agency reimbursements for ALS (exclusive of Navy's support for A-12) now stand at \$2.1 million, compared with \$12.5 million in 1993. The Commercial Litigation Branch is now operating at a deficit of \$1.9 million. The Civil Division seeks to restore \$2,717,000 to its base budget. This funding will provide the bare bones support needed to forestall Government losses many times larger than the funding sought.

PERFORMANCE MEASUREMENT TABLE: PRESENTED BY DECISION UNIT

NAME OF DECISION UNIT: CHS Division - Commercial Litigation Branch		PERFORMANCE TARGETS AND ACTUAL RESULTS					
PERFORMANCE INDICATOR INFORMATION							
Type of Indicator	Performance Indicators	1993 Actual	1994 Actual	1995 Actual	1996 Target	1997 Target	
Input	1. Number of cases pending beginning of year 2. Number of cases received during year	5,996 2,937	5,723 3,915	5,803 4,606	7,448 5,649	10,491 5,286	
Output/Activity	3. Number of cases terminated during year	3,219	2,845	2,991	2,997	3,813	
Intermediate Outcome	4. Percent of definitive cases in which the Branch defeated 75 percent or more of the claim 5. Percent of affirmative dollar claims won	89% 71%	79% 84%	89% 91%	79% 89%	79% 89%	
End Outcome	6. Total amount of claims defeated (in millions) 7. Total amount of relief awarded (in millions)	\$1,849 \$538	\$3,496 \$1,164	\$393 \$685	\$481 \$742	\$489 \$777	
A. Definitions of Terms or Explanations for Indicators:							
<ul style="list-style-type: none"> Indicators 1, 2 and 3: Case counts and dollar amounts for these indicators were derived in a manner consistent with prior budget submissions and refer to personally and jointly handled cases. Indicator 4: The 1994 results included \$3.1 billion defeated in the Hughes patent case. Indicator 7: The 1994 results included \$324 million awarded in the National Medical Enterprises fixed case. 							
B. Factors Affecting FY 95 Program Performance:							
<ul style="list-style-type: none"> Indicator 2: Case receipts are significantly higher in 1995 due to an influx of civilian pay and broker maintenance fee cases. Indicator 3: Terminations are lower in 1995 because the broker maintenance fee cases were stayed, pending the outcome of the lead case. 							

C. Factors Affecting Selection of FY 96 and 97 Targets:

- Indicators 1, 2 and 3: These targets assume that harbor maintenance fee cases will continue to be filed, at the rate of 200 per month, and that these cases will be stayed, pending the outcome of the lead case. Thus, terminations are proportionately lower and the number of cases pending at the beginning of the year increases significantly.
- Indicator 6: This target is very difficult to predict, as there are a handful of defective cases handled by the Branch that each involve multi-billion dollar claims. Thus, in a given year, the Branch may prevail in 99 out of 100 suits, but if that one loss turns out to be a case like *Huguenot*, the target will not be achieved.
- Indicators 6 and 7: The 1996 and 1997 targets are based on 1995 data.

Federal Programs		Perm.	EXH	Amount
1996 Appropriation Anticipated		150	146	\$16,004
1997 Base		150	146	16,076
1997 Estimate		150	146	16,076
Increase/Decrease		..	..	..

BASE PROGRAM DESCRIPTION: The Federal Programs Branch defends the officers and agencies of the United States Government in a wide variety of cases involving the constitutionality and legality of federal statutes, programs and initiatives. The Branch also initiates affirmative litigation to enforce federal laws and regulations. Of the Branch's 812 cases, 81 percent were defensive and 19 percent were affirmative in 1995.

The Branch's defensive litigation involves high-visibility cases that present important constitutional, statutory and regulatory issues. Recently, the Branch has litigated cases involving some of the most probing and controversial issues of our time -- gun control, welfare, prayer in school and sexual harassment in the workplace. In 1995, the Branch was involved in several cases challenging provisions of the Communications Decency Act of 1994 which prohibits the transmission of indecent material over the Internet and other interactive computer and telecommunications systems. The Branch handled several cases involving the Freedom of Information Act, the Privacy Act, Title VII of the Civil Rights Act, the Americans with Disabilities Act, the Equal Pay Act and the Federal Advisory Committee Act, in addition to challenges arising under the Constitution, the Administrative Procedures Act and other statutes of general applicability.

In its affirmative litigation, the Federal Programs Branch seeks to ensure compliance with federal statutes and regulations by initiating enforcement actions on behalf of federal agencies. For example, the Branch has sued the trustees and members of the Federal Reserve Bank of New York to enforce fiduciary duties under the Employee Retirement Income Security Act. The Branch has also initiated civil actions to enforce the Ethics in Government Act against present and former federal officials. In 1995, the Branch brought a civil action against the Department of Inspector General subpoena and litigates civil penalty actions under a variety of federal statutes including the National Highway Traffic Safety Act and the Financial Institutions Reform, Recovery and Enforcement Act.

With twelve distinct areas of litigation, the Federal Programs Branch caseload is among the most diverse of all the civil divisions within the Civil Division. Branch attorneys spend the majority of their time, nearly 87 percent in 1995, litigating on behalf of the President and the remainder of the attorneys' time is mostly spent advising client agencies and the United States Attorney General. Attorneys reported an average of 38 days of unpaid overtime during 1995. The total overtime hours reported by Federal Programs Branch attorneys translate into more than 15 additional workyears.

ACCOMPLISHMENTS: The Federal Programs Branch preserved the viability of numerous federal programs and congressional enactments in 1995. Of the cases terminated, the Branch enjoyed a litigation success rate of 81 percent, exceeding its target under the Government Performance and Results Act. However, the full value of the Branch's success is difficult to quantify, as many Federal Programs suits seek declaratory and injunctive relief which indirectly affects billions of dollars in federal funds.

The following are among the litigation successes enjoyed by the Federal Programs Branch in 1995:

The Branch protected Congress' enforcement authority under the Fourteenth Amendment by successfully intervening in several suits challenging the constitutionality of the Religious Freedom Restoration Act. In *Pickel v. City of Chicago*, the Branch successfully intervened in the Seventh Circuit to prevent the City from enjoining the Act's application to address and sustain the Act's constitutionality. The case involved a challenge to the City's refusal to permit expansion of a church located within a historic district.

The Branch also preserved the constitutionality and validity of the Child Protection and Restoration Act of 1990, marking a significant victory against the exploitation of children by the pornography industry. The Act requires producers to maintain records documenting the age and identity of performers appearing in sexually explicit scenes. In *American Library Association v. Pung*, the court found that the Act was constitutional as applied to commercially-produced material catering to "adult" tastes.

The Branch successfully defended the Brady Handgun Violence Prevention Act against numerous constitutional challenges in 1995. In a representative case, the Ninth Circuit agreed with the Branch's position and ruled that the entire Brady Act was constitutional, including the controversial mandatory background check provision. Additional Brady Act cases are awaiting decision in the First, Second and Fifth Circuits.

The Branch successfully defended against challenges brought by six states seeking billions of dollars in alleged reimbursement from the Federal Government for the cost of providing medical services to illegal aliens. The suits were filed under a variety of constitutional and federal laws, including the Federal Government's exercise of its authority over immigration and its administration of the immigration laws.

In *Mayfield v. Dalton*, the Branch upheld the constitutionality of a program in which samples of blood are collected from military service personnel and stored for possible use in identifying the remains of soldiers through DNA analysis. Plaintiffs had alleged that the samples could some day be used for unauthorized purposes, but the court found no evidence that suggested the samples ever would be used for anything other than remains identification. Moreover, the court ruled that the taking of blood samples does not constitute an unreasonable search and seizure.

PERFORMANCE MEASUREMENT TABLE: PRESENTED BY DECISION UNIT

NAME OF DECISION UNIT: Civil Division - Federal Programs Branch		PERFORMANCE TARGETS AND ACTUAL RESULTS				
Type of Indicator	PERFORMANCE INDICATOR INFORMATION	1993 Actual	1994 Actual	1995 Actual	1996 Target	1997 Target
Performance Indicators						
Input	1. Number of cases pending beginning of year	514	511	545	539	545
	2. Number of cases resolved during year	303	454	317	394	497
Output/Activity	3. Number of cases terminated during year	305	349	333	375	385
Outcomes	4. Percentages of closed trial cases resulting in favorable outcomes for the United States	87%	89%	81%	88%	89%
Productivity/Efficiency	5. Percentages of caseload terminated	43%	41%	39%	41%	41%
A. Definitions of Terms or Explanations for Indicators						
<ul style="list-style-type: none"> Indicators 1, 2 and 3: Case counts for these indicators were developed in a manner consistent with prior budget submissions and refer to personally and jointly handled cases. Indicator 4: Cases resulting in "favorable outcomes" are cases in which the Government successfully defended against challenges to federal statutes or programs and/or enforced remedies for statutory violations of federal programs. Indicator 5: "Caseload" refers to the sum of cases pending at the beginning of the year and the number of new cases received during the year. 						
B. Factors Affecting FY 96 Program Performance						
<ul style="list-style-type: none"> All indicators: The Branch's extensive expertise in coordinating cases of national significance contributes to its interagency performance. 						
C. Factors Affecting Selection of FY 96 and 97 Targets						
<ul style="list-style-type: none"> Indicator 2: The target levels selected for 1996 and 1997 reflect moderate growth for the Branch. However, these target levels are subject to change, as the Federal Programs Branch can be called on at any time to defend any number of federal statutes or programs. 						

Consumer Litigation	Perm.	FY	Amount
1996 Appropriation Anticipated	35	39	\$4,010
1997 Base	35	39	5,070
1997 Estimate	35	39	5,070
Increase/Decrease	..	..	..

BASE PROGRAM DESCRIPTION: The Office of Consumer Litigation safeguards the public by enforcing federal consumer protection law, such as the Food, Drug and Cosmetic Act, the Consumer Product Safety Act and the Federal Trade Commission Act. In particular, the Office seeks to protect consumers who are unable to protect themselves from dangerous or worthless products and from unfair and deceptive trade practices.

Unlike other Civil Division litigating components, the Office of Consumer Litigation handles primarily affirmative litigation -- 87 percent in 1995. Much of this litigation involves health care fraud perpetrated by manufacturers and distributors of unapproved drugs and medical devices. The remainder involves economic fraud that endangers consumers and wastes billions of dollars from them each year through adulterated, mislabeled, and defective consumer products, hazardous and unsafe household products, automobiles with rolled-back odometers, unfair credit practices and deceptive advertisements and sales. In 1995, the Office received 200 affirmative cases -- more than double the number received in 1994. This increase was spurred by a nationwide crackdown on telemarketing fraud and the reinvigorated enforcement efforts of the Office's largest client, the Food and Drug Administration (FDA).

In defensive litigation, the Office of Consumer Litigation represents the Government in suits challenging the policies of consumer protection agencies. In addition to the FDA, the Office litigates cases on behalf of the Federal Trade Commission, the National Highway Traffic Safety Administration and the Consumer Product Safety Commission. Most of the Office's defensive cases involve challenges to the FDA's food labeling and drug manufacturing requirements. For example, the Office has defended numerous cases brought by pharmaceutical manufacturers seeking, on various theories, to block FDA approval of generic versions of their brand name drugs. The Office currently is defending a challenge to the FDA's approval of Monsanto's new animal drug, Potilic -- a drug that increases cows' milk production.

In 1995, the Office of Consumer Litigation's caseload totaled 432 cases -- a 19 percent increase over the 1994 level. Consumer Litigation attorneys spend the majority of their time litigating cases -- 83 percent in 1995. Most of the remaining time is spent advising client agencies and the U.S. Attorneys Offices. In 1995, the average number of cases per attorney was 22. Attorneys reported an average of 46 days of unpaid overtime during 1995. The total overtime hours reported by Consumer Litigation attorneys translate into five additional workyears.

ACCOMPLISHMENTS: The Office of Consumer Litigation obtained nearly \$14 million in criminal fines and civil penalties through affirmative litigation in 1995, exceeding its performance target under the Government Performance and Results Act by 93 percent. Many of these cases involved matters of significant national importance.

In an innovative settlement benefiting children across the nation, the Office of Consumer Litigation convinced McDonald's Corporation to finance a \$5 million child safety campaign to help parents and children prevent injuries associated with bicycles, roller blades and contact sports. The settlement arose out of allegations that McDonald's had failed to report safety defects in its children's products. The settlement also requires McDonald's to agree to a \$5 million monetary penalty for failure to report safety defects in its products, to perform regular safety audits of its restaurants and report any future defects in playground equipment to the Consumer Product Safety Commission.

In another settlement benefiting America's children, the Office cracked down on cigarette manufacturer Philip Morris for violations of the Federal Cigarette Labeling and Advertising Act. The settlement prohibits the company from placing cigarette billboards at professional basketball, baseball, football and hockey stadiums in locations that are likely to appear on television. Television commercials advertising cigarettes have been banned since 1971.

The action against Philip Morris came shortly after the Office filed a similar action against Madison Square Garden, New York's premier sports and entertainment complex and home to the National Basketball Association's New York Knicks. The suit against Madison Square Garden stemmed from the placement of a large Marlboro sign adjacent to the basketball court during televised Knicks games. Under a consent decree, Madison Square Garden is now prohibited from displaying cigarette advertisements on or near the basketball court, or in any other location regularly in a stadium's focus. Taken together, these two settlements will significantly reduce the exposure of American youth to surreptitious cigarette advertising.

Also in 1993, the Office continued a nationwide investigation into the sampling and illegal distribution of unsanitary drugs intended for use in food-producing animals. These unsanitary drugs endanger countless unsuspecting consumers by remaining in the flesh of slaughtered livestock, as well as in eggs and milk. Specifically, the Office has been supervising an investigation into the illegal use of clostridial, an unsanitary drug which is illegally used to increase muscle mass in food-producing animals such as veal calves, and which is secretly toxic to many humans. The investigation has resulted in the conviction of 19 individuals and eight companies for manufacturing and distributing clostridial. These individuals have received prison terms of up to six years, and total fines in excess of \$1.2 million. More than 60 tons of unsanitary drugs and ten tons of illegal manufacturing equipment have been seized and destroyed.

Unscrupulous debt collection practices were the subject of the Office's investigation of Payco American Corporation. One of the nation's largest debt collection firms, Payco was charged with harassment and failure to inform consumers of their rights under the Fair Debt Collection Practices Act. As a result of the Office of Consumer Litigation's investigation, Payco was assessed the largest civil penalty ever imposed under the Act.

The Office of Consumer Litigation also prevailed in 1993 against Toy "R" Us, International and two related manufacturers of unsafe baby pacifiers and rattles. As a result, the dangerous products are now off the market and the manufacturers have been fined the maximum penalty allowable.

PERFORMANCE MEASUREMENT TABLE: PRESENTED BY DECISION UNIT

NAME OF DECISION UNIT: Civil Division -- Office of Consumer Litigation		PERFORMANCE TARGETS AND ACTUAL RESULTS					
PERFORMANCE INDICATOR INFORMATION							
Type of Indicator	Performance Indicators	1993 Actual	1994 Actual	1995 Actual	1996 Target	1997 Target	
Input	1. Number of cases pending beginning of year 2. Number of cases received during year	497 147	465 128	395 237	473 192	511 299	
Output/Activity	3. Number of cases terminated during year	149	138	199	154	166	
Outcome	4. Amount of relief and penalties awarded (in millions)	\$8.8	\$36.4	\$13.7	\$12.6	\$13.5	
Productivity/Efficiency	5. Total dollars per attorney workyear (in millions)	\$3.3	\$11.2	\$6.6	\$6.5	\$6.5	
A. Definitions of Terms or Explanations for Indicators:							
• Indicators 1, 2 and 3: Case counts for these indicators were derived in a manner consistent with prior budget submissions and refer to personally and jointly handled cases.							
B. Factors Affecting FY 95 Program Performance:							
• Indicator 2: Case receipts are significantly higher in 1995 due to an influx of telemarketing fraud cases.							
C. Factors Affecting Selection of FY 96 and 97 Targets:							
• Indicator 4: Targets for 1996 and 1997 are based on the 1995 average award.							

	Pctm. Doll.	FY	Amount
Immigration Litigation			
1996 Appropriation Anticipated	34	42	97,073
1997 Base	34	42	7,491
1997 Estimate	24	43	2,431
Increase/Decrease	..	..	..

APPEAL PROGRAM DESCRIPTION: The Office of Immigration Litigation represents the last line of defense along an immigration enforcement continuum that involves the Immigration and Naturalization Service (INS), the immigration courts, the Board of Immigration Appeals and the federal courts. By defending challenges to the Government's immigration laws and policies, the Office of Immigration Litigation ensures that the combined efforts of the United States' immigration agencies come to fruition. The Office handles both individual challenges to immigration enforcement actions, as well as class action suits directed against the officers of the INS, the Department of State and other immigration-related agencies. The Office also handles cases involving the rights of aliens to appropriate constitutional and statutory rights. The Office handles cases involving the rights of aliens to appropriate political and other immigration benefits. Nearly 90 percent of the cases handled by the Office of Immigration Litigation are court of appeals cases involving individual challenges to administrative determinations.

The Office of Emigration Literature's caseload has grown significantly in recent years, reflecting a rise in the number of alienation hearings and appeals. The New York Office of Emigration Literature has been successful in providing a steady stream of articles challenged by aliens in court. Most notably, the challenges to emigration, expulsion and deportation caseload jumped 63 percent between 1991 and 1994. To cope with the sharp rise in cases, the civil division added 15 positions to the Office through a reprogramming and a program increase in 1994.

Challenges to evidence, vigilance and deportation continue to be the Office's most significant cases in terms of volume and number of short visits. An increasing number of these cases involve aliens who have committed crimes in the United States. In 1995, the Office's docket received 2,176 challenges, as the INS and DOJ applied greater emphasis on the removal of criminal aliens. In addition, the INS and DOJ have increased their focus on deporting aliens and resources to the task of removing criminal aliens from the United States. Meanwhile, the INS has increased its training program and expedited the removal of thousands of criminal aliens, while stepped-up border operations have resulted in the removal of thousands of illegal aliens. The Office also is committing substantial effort to several cases seeking the removal of alien terrorists from the United States. For example, the Office currently is supporting the INS' efforts to deport eight Palestinian aliens who directed fund-raising and other activities for the Popular Front for the Liberation of Palestine, a group designated a terrorist organization by Executive Order 12957. The Office also continues to defend large-scale claims for the interdiction and repatriation of Haitians and the detention and repatriation of other shore Cuban migrants.

Other areas, while not as significant numerically, account for a substantial portion of the Office's time. The more-latest cases are of the "collateral" nature. In 1939, collateral attacks on the Government's position in the Office's case files were 11.5% of the total. This year, they were 10.5%. The Office's case files also contain a substantial number of cases involving collateral attacks on the IRS. Indeed, eight of the Office's ten most labor-intensive cases involved collateral attacks on the IRS. The Office also spends substantial time on benefits denial cases, as a result of the growth in asylum and refugee procedures cases and disputes regarding the issuance of work authorizations.

A steady rise in the Office's case receipts is guaranteed for the foreseeable future. The Administration's four-part strategy to control illegal immigration calls for regaining control of the United States' borders, removing the job magnet through worksite enforcement, aggressively pursuing the removal of criminal and other illegal aliens and providing the INS with the necessary resources to be effective. In addition, the Violent Crime Control and Law Enforcement Act of 1994 provides for the Immigration Enforcement System, which will allow the INS to control and monitor the movement of illegal aliens. This system will enable the INS to sharply increase its output by 1997. As a result, the Office of Immigration Litigation's personnel and jointly handled case receipts are expected to grow 35 percent between 1995 and 1997.

Office of Immigration Litigation attorneys spent most of their time, about 81 percent, litigating cases in 1995. The remainder of attorneys' time was mostly spent advising client agencies and the United States Attorneys Offices. Each Office of Immigration Litigation attorney handled an average of 15 cases in 1995. Attorneys reported an average of 91 days of travel overseas in 1995, the highest average in the Civil Division. The total overtime hours reported by Office of Immigration Litigation attorneys translate into ten additional workdays.

ACCOMPLISHMENTS: The Office of Immigration Litigation's place on the immigration enforcement continuum is vitally important to preserving the integrity of the immigration laws and policies of the United States. The Office won 98 percent of the personally and jointly handled cases decided or dismissed by the courts in 1995, exceeding its 95 percent target under the Government Performance and Results Act. By upholding the vast majority of administrative removal decisions challenged in court, the Office of Immigration Litigation gives "teeth" to the United States immigration system.

The Office achieved several notable victories in 1995:

The Office devoted substantial efforts to a number of cases involving alien terrorists in 1995. For example, the Office has worked on the exclusion of *Muhammad Ali Mirzaei*, the leader of the terrorist organization *Hezbollah*; the deportation of *Yusef Elshah Elshah*, who is claimed by the Government of India to be a leader of a Sikh terrorist organization; and the reopening of naturalization proceedings for *Muhammad Ali Mirzaei*, who falsely claimed to be a United States citizen and failed to divulge his activities in support of organizations allied with the Islamic Jihad movement.

In *Federation for American Immigration Reform v. Reno*, the Office successfully defended a 1994 agreement with the Cuban government to curb unsafe and illegal migration to Florida by increasing opportunities for Cuban migration through safe, orderly and lawful channels, such as the use of the Attorney General's statutory parole power to bring into the United States Cubans chosen by lottery from an applicant pool. The Government's success in this case means that the Government's ability to respond effectively to episodes of large uncontrolled attempted migration to the United States has been protected.

In *Cuban American Bar Association v. Christensen* and *Latina Refugee Center v. Christensen*, the Office lent support to the Government's efforts to plan for and respond to mass migration by successfully defending the decision to detain certain Cuban and Latina migrants at a safe haven at Guantanamo Bay, Cuba.

PERFORMANCE MEASUREMENT TABLE: PRESENTED BY DECISION UNIT

NAME OF DECISION UNIT: Civil Division - Office of Immigration Litigation		PERFORMANCE TARGETS AND ACTUAL RESULTS				
PERFORMANCE INDICATOR INFORMATION		PERFORMANCE TARGETS AND ACTUAL RESULTS				
Type of Indicator	Performance Indicators	1993 Actual	1995 Actual	1996 Target	1997 Target	
Input	1. Number of cases pending beginning of year 2. Number of cases received during year	843 1,104	891 1,254	942 1,303	1,003 1,406	1,036 1,886
Output/Activity	3. Number of cases terminated during year	1,076	1,193	1,242	1,353	1,753
Outcome	4. Percent of cases won	94%	90%	90%	90%	90%
Predictability/Efficiency	5. Percentage of caseload terminated	55%	56%	53%	60%	69%
A. Definitions of Terms or Explanations for Indicators:						
<ul style="list-style-type: none"> Indicators 1, 2 and 3: Case counts for these indicators were developed in a manner consistent with prior budget submissions and refer to personally and jointly handled cases. Case counts include cases generated by the Inclusion of Violent Crime Reduction Trust Fund resources. Indicator 4: The percent of cases won is based on the number of cases that resulted in judgments or dismissals by the court. Indicator 5: "Caseload" refers to the sum of cases pending at the beginning of the year and the number of new cases received during the year. 						
B. Factors Affecting FY 95 Program Performance:						
<ul style="list-style-type: none"> All Indicators: The Office of Immigration Litigation's deep knowledge of immigration statutes and its ability to coordinate case nationwide contributions to its success. 						
C. Factors Affecting Selection of FY 95 and 97 Targets:						
<ul style="list-style-type: none"> Indicator 2: The 1997 target assumes that 230 additional cases will be generated as a result of the Department's 1997 Immigration Initiative. Indicator 4: Targets are not being raised above 90 percent, as Congress currently is considering several bills that could significantly alter the scope of immigration policy and, as a consequence, alter the Office of Immigration Litigation's level of performance. Indicator 5: Targets are based on the assumption that the federal courts will keep pace with the growing number of immigration claims. Realistically in the courts will impede the Office of Immigration Litigation's ability to meet these targets. Also, to the extent there is a lag between the court decision and the administrative closing of a case, these projections may be optimistic. 						

Office automation is a key feature of the technological support provided by OGP. The first large-scale office automation project was the replacement of the Department of Justice's manual case management system by a computerized system. This system, known as CASES, provides attorneys with access to case files, case management, and case tracking systems and has greatly enhanced their efficiency and effectiveness through better organization and management of their work efforts. Further enhancements will be achieved in 1977, when AMICUS converts to the new Justice Consolidated Office Network (JCON). Designed to link the litigating divisions and the United States Attorneys Offices on a unified system, JCON will provide Division attorneys and support staff with advanced word processing capabilities, improved access to on-line legal research services and expanded facsimile and electronic mail capabilities.

Successful management of the Division's burgeoning caseload is essential to ensuring productivity and efficiency in all stages of litigation. CASES, the Division's automated case management system, maintains the basic data needed for management of over 383,000 open and closed Civil Division cases. Through CASES, attorneys can access essential case-related information directly from their individual workstations, saving them countless hours of searching for voluminous physical case files. Indeed, with only a few keystrokes, managers can search and update case files, monitor caseload activity and time expenditures, trace litigation histories, analyze caseload trends and evaluate future resource requirements. In 1977, attorneys will also be able to report their time spent on cases directly into the system. The first totally automated case management system in the Department, provides a useful means for monitoring productivity and performance.

The provision of responsive administrative support services to more than 900 Division employees is just as crucial as the provision of technological support. These services include: recruitment, hiring, employee assistance and training, manpower tracking, labor relations, procurement, facilities management and provision of office equipment and furniture. OGP keeps abreast of specialized needs of the Division, incorporates these needs into its planning and budgeting process, and provides the necessary support services. OGP was instrumental in preparing for the arrival of the additional Office of Immigration Litigation (OIL) staff provided by the Violent Crime Control and Law Enforcement Act of 1976. It recruited and hired the additional attorneys and support staff, negotiated leases for the space to accommodate them, procured new office equipment and furniture and arranged for office automation, telephone and mail services. In addition, the Office designed the space and arranged for OIL to occupy the space in record time. During the next year, OGP will handle two other significant moves. The first will involve the permanent relocation of approximately 300 employees of the Commercial Litigation Branch and the Office of Management Program to a new location at 1100 L Street, NW. The second will involve the temporary relocation of the Civil Fraud and Appellate Staffs into "swing space" while the Main Justice Building undergoes renovation.

Sound fiscal management is another crucial administrative function. Each year, thousands of financial transactions are processed against a growing number of accounts under the Division's purview. Once limited to the General Legal Activities account, budget formulation, execution and accounts maintenance functions have been extended to the NECA Trust Fund and administrative accounts, the VCA appropriation, two Fees and Expenses of Expert Witnesses allotments and a host of reimbursable agreements. In the number of accounts has grown, so have the types of responsibilities which encompass fiscal management. More than ever, OGP's orientation is focused on how to support the Division's mission at the lowest cost.

In addition to serving the Division's litigating components, ODP provides a service to the general public, coordinating responses to over 3,500 Congressional and public inquiries each year. In accordance with the Attorney General's commitment to make the Department of Justice "more open, responsive and accountable" to the American people, ODP is committed to providing timely, accurate responses to all inquiries. Moving second-out its handling of citizen correspondence and achieved currency with respect to controlled Congressional correspondence, the Civil Division's communications function has been singled out as an example of timeliness and efficiency for other Department components. Technological enhancements will be achieved in coming months, when a new computer-based tracking system is implemented.

ACQUITTAL MURDER: The Civil Division's aggressive pursuit of white collar criminals generated millions of dollars for the United States Treasury in 1995. Awards and settlements were secured in a wide range of affirmative cases involving health care and defense procurement fraud, whistleblower actions, overseas asset recovery, loan defaults, bankruptcies, unreported animal drugs and environmental damage. At the same time, the Division defeated the vast majority of claims against the Government, protecting the Treasury from billions of dollars in potential losses.

- **ACQUITTAL MURDER.** The Civil Division secured \$725 million for the Government in court-imposed awards and negotiated settlements in personally and jointly handled cases.
- **Collections.** Although many awards and settlements require long-term servicing, collections associated with cases retained by the Civil Division or worked in conjunction with the U.S. Attorneys totaled \$927 million, of which \$902 million was cash deposited in the Treasury, \$25 million was offsets of agency obligations and \$10,810 was property transferred to the United States.
- **Defense Against Monetary Claims.** In cases defended by the Civil Division, claimants sought payments by the Government of nearly \$5 billion. Approximately 64 percent of these claims were defeated, with Government losses held to just \$187 million.¹

With respect to the rate of return over expenditures, few organizations can boast of a higher yield. At the 1995 budget of \$119.6 million, for each dollar spent, over \$8 in monetary recoveries were achieved and over \$4 in cash collections were returned to the U.S. Treasury.

¹ Excludes a \$100 million settlement in *Ramirez v. United States (NM)*. The Government initially paid \$100 million for this settlement, but a related federal action was determined that the Government was not liable for the settlement. The Government paid \$100 million, the percent of claims defeated increases to 91 percent and the Government's losses are reduced to \$187 million.

Civil Division
 Budget for Expenses
 Financial Statement - Expenses - General
 (Dollars in thousands)

Item	Commercial Fund
Grants	
GS-14.....	..
GS-13.....	..
GS-12.....	..
GS-11.....	..
GS-10.....	..
GS-9.....	..
GS-8.....	..
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GS-5.....	..
GS-4.....	..
GS-3.....	..
GS-2.....	..
GS-1.....	..
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**Civil Division
Salaries and Expenses
1977 Activity Section**

BASIC PROGRAM		PROJECT PROGRAM	
Project	Position	Project	Position
Federal Appellate Activity	1	Commercial Litigation	1
Commercial Litigation	2		
Inspection Litigation	3		
State Litigation	4		
Federal Programs	5		
Consumer Litigation	6		
Management and Administration	7		

Small Division
Belgium and Germany
Detail of Permanent Positions by Category
Fiscal Years 1985 - 1987

Category	1985		1986 ^{1/}		1987		Total
	Authorized	Indefinite	Authorized	Indefinite	Authorized	Indefinite	
Attorneys (203)	99	17	413	17	...	...	413
Police (204)	16	5	57	5	...	...	57
Gen. Admin. Clerical and Office Services (205-299)	314	14	239	14	...	...	239
Total	998	36	908	36	...	...	908
Washington	918	36	888	36	...	...	888
U.S. Field	39	...	39	...	...	...	39
Foreign Field	1	...	1	...	...	...	1
Total	958	36	928	36	...	...	928
Non Technical Positions							
Supervisors	117	1	116	1	...	...	116
Technical Specialists (205) .....	...	...	...	...	...	...	...
Administrative Specialists	6	...	6	...	...	...	6
Accountants and Auditors	3	...	3	...	...	...	3
Acquisition Specialists .....	...	...	...	...	...	...	...
Headquarters Staff	117	...	106	...	...	...	106

^{1/} The distribution of permanent positions by category has been adjusted to reflect current staffing ratios.

Civil Division
Summary of Attorney and Support Positions
Fiscal Year 1977

Division Unit	1976 Actual Positions			1977 Program Increase			1977 Actual Positions		
	Attorney	Support	Total	Attorney	Support	Total	Attorney	Support	Total
Federal Appellate Activity	59	17	76	77	...	...	89	17	106
State Litigation	141	64	205	297	...	...	141	64	205
Commercial Litigation	221	69	290	319	...	...	221	69	290
Consumer Litigation	14	3	17	14	...	...	14	3	17
Insurance Litigation	29	15	44	43	...	...	29	15	44
Investigation and Administration	9	7	16	10	...	...	9	7	16
Total	513	113	626	710	...	...	513	113	626

Division Unit	1976 Actual Positions			1977 Program Increase			1977 Actual Positions		
	Attorney	Support	Total	Attorney	Support	Total	Attorney	Support	Total
Federal Appellate Activity
State Litigation
Commercial Litigation
Consumer Litigation
Insurance Litigation
Investigation and Administration
Total

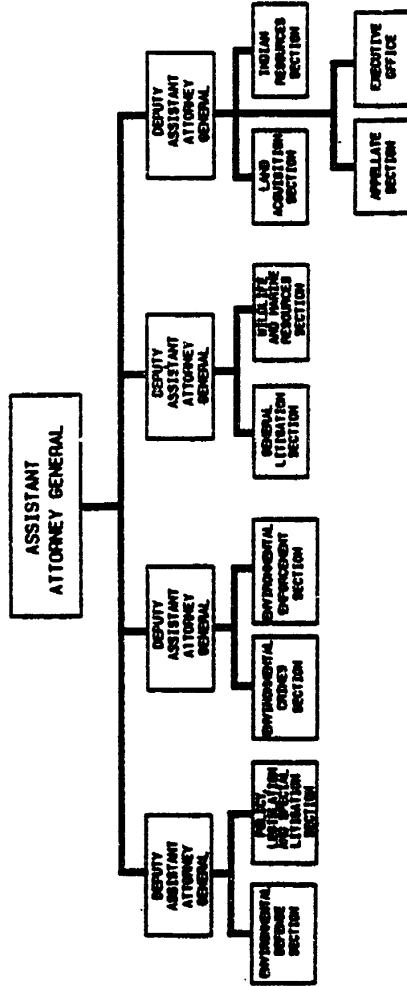
1/ The distribution of attorney and support positions and PPS has been adjusted to reflect current starting ratios.

Civil Division
Salaries and Expenses
Summary of Requirements by Grade and District Class
 (Dollars in thousands)

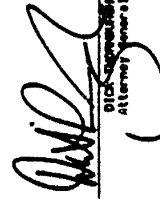
Grades and salary ranges	1975 Actual		1976 Estimate		1977 Request		1978 Estimate	
	Positions & Marketers	Amount	Positions & Marketers	Amount	Positions & Marketers	Amount	Positions & Marketers	Amount
Executive Level IV, \$115,700.....	1	...	1	...	1	...	1	...
GS-9, \$111,700.....	1	...	1	...	1	...	1	...
GS-8, \$107,700.....	2	...	2	...	2	...	2	...
GS-7, \$103,800.....	5	...	5	...	5	...	5	...
GS-6, \$97,300.....	5	...	5	...	5	...	5	...
GS-5, \$92,900.....	...	...	...	...	...	...	...	...
GS-15, \$67,941-96,136.....	436	...	436	...	436	...	436	...
GS-14, \$67,700-75,095.....	116	...	116	...	116	...	116	...
GS-13, \$64,776-71,219.....	71	...	71	...	71	...	71	...
GS-12, \$64,106-70,145.....	42	...	42	...	42	...	42	...
GS-11, \$54,295-61,582.....	48	...	48	...	48	...	48	...
GS-10, \$51,215-60,564.....	6	...	6	...	6	...	6	...
GS-9, \$48,345-56,950.....	80	...	80	...	80	...	80	...
GS-8, \$45,642-53,357.....	26	...	26	...	26	...	26	...
GS-7, \$43,171-50,119.....	93	...	93	...	93	...	93	...
GS-6, \$40,885-47,327.....	12	...	12	...	12	...	12	...
GS-5, \$38,707-44,321.....	7	...	7	...	7	...	7	...
GS-4, \$36,721-41,734.....	4	...	4	...	4	...	4	...
AD Pay.....	...	...	...	...	...	...	...	...
Locality Pay.....	...	...	...	...	...	...	...	...
1977 Pay Rates.....	...	...	...	...	...	...	...	...
Total, excluding premium pay above stated mark.....	958	\$1,573	958	\$1,567	958	\$1,565	958	\$1,565
Less.....	(72)	(1,569)	(24)	(1,530)	(24)	(1,530)	(24)	(1,530)
Savings due to lower scales for part of year.....	...	...	...	...	...	...	...	...
Net, full-time permanent.....	886	\$4,763	904	\$4,549	904	\$4,517	904	\$4,517

	1967 Actual		1966 Audited		1967 Proposed	
	Full-time	Part-time	Full-time	Part-time	Full-time	Part-time
	Positions	Positions	Positions	Positions	Positions	Positions
Other (Non permanent)						
Part-time permanent	14	2,099	13	1,109	15	1,115
Temporary employees	36	672	37	(143)	37	677
Other						
Continental Corporation	2	94	0	100	0	204
Other Corporation		574		523		523
Special personal services payments		2,568		3,153		2,567
TOTAL, salaries and personnel	943	61,798	944	66,249	944	69,225
Interest on debt		\$128,978		\$113,466		\$134,279
Interest on salary		\$4,772		\$5,421		\$6,500
Interest on bonds		14.3		14.4		14.5

ENVIRONMENT AND NATURAL RESOURCES DIVISION *



890

Approved:  Date: 7-17-90
 DICK CAMPBELL
 Attorney General

* Section Assignments Subject to Change

Environment and Natural Resources Division
Salaries and Expenses, General Legal Activities
Crosswalk of 1996 Changes
 (Dollars in thousands)

Activity/Program	1996 President's Budget Request		Congressional Appropriation Actions on 1996 Request		Reprogramming		1996 Appropriation Anticipated	
	For. FY	Dom. FY	For. FY	Dom. FY	For. FY	Dom. FY	For. FY	Dom. FY
5. Environment, Natural Resources and Indian Matters								
a. Appellate & Policy	37	40	\$4,260	...	...	...	37	40
b. Environmental Protection ...	221	230	33,191	...	...	...	221	230
c. Natural Resources	154	161	19,286	...	...	...	154	161
d. Management & Administration	37	45	4,380	...	...	...	37	45
Total	449	476	61,117	...	...	...	449	476
Reimbursable Workyears	242						242	
Total Workyears	718						718	

Congressional Action on 1996 Request. The Conference Report on the 1996 appropriations bill for the Justice Department did not provide sufficient resources to cover adjustments to the base in the General Legal Activities appropriation. Although the bill was vetoed, we do not anticipate additional resources for this program in the final bill.

Environment and Natural Resources Division
Salaries and Expenses - General Legal Activities
Summary of Requisitions
(dollars in thousands)

	1976	1977	1978	1979	1980	1981	1982	1983	1984	1985	1986	1987	1988	1989	1990	1991	1992	1993	1994	1995	1996	1997	1998	1999	2000	2001	2002	2003	2004	2005	2006	2007	2008	2009	2010	2011	2012	2013	2014	2015	2016	2017	2018	2019	2020	2021	2022	2023	2024	2025	2026	2027	2028	2029	2030	2031	2032	2033	2034	2035	2036	2037	2038	2039	2040	2041	2042	2043	2044	2045	2046	2047	2048	2049	2050	2051	2052	2053	2054	2055	2056	2057	2058	2059	2060	2061	2062	2063	2064	2065	2066	2067	2068	2069	2070	2071	2072	2073	2074	2075	2076	2077	2078	2079	2080	2081	2082	2083	2084	2085	2086	2087	2088	2089	2090	2091	2092	2093	2094	2095	2096	2097	2098	2099	2100	2101	2102	2103	2104	2105	2106	2107	2108	2109	2110	2111	2112	2113	2114	2115	2116	2117	2118	2119	2120	2121	2122	2123	2124	2125	2126	2127	2128	2129	2130	2131	2132	2133	2134	2135	2136	2137	2138	2139	2140	2141	2142	2143	2144	2145	2146	2147	2148	2149	2150	2151	2152	2153	2154	2155	2156	2157	2158	2159	2160	2161	2162	2163	2164	2165	2166	2167	2168	2169	2170	2171	2172	2173	2174	2175	2176	2177	2178	2179	2180	2181	2182	2183	2184	2185	2186	2187	2188	2189	2190	2191	2192	2193	2194	2195	2196	2197	2198	2199	2200	2201	2202	2203	2204	2205	2206	2207	2208	2209	2210	2211	2212	2213	2214	2215	2216	2217	2218	2219	2220	2221	2222	2223	2224	2225	2226	2227	2228	2229	2230	2231	2232	2233	2234	2235	2236	2237	2238	2239	2240	2241	2242	2243	2244	2245	2246	2247	2248	2249	2250	2251	2252	2253	2254	2255	2256	2257	2258	2259	2260	2261	2262	2263	2264	2265	2266	2267	2268	2269	2270	2271	2272	2273	2274	2275	2276	2277	2278	2279	2280	2281	2282	2283	2284	2285	2286	2287	2288	2289	2290	2291	2292	2293	2294	2295	2296	2297	2298	2299	2300	2301	2302	2303	2304	2305	2306	2307	2308	2309	2310	2311	2312	2313	2314	2315	2316	2317	2318	2319	2320	2321	2322	2323	2324	2325	2326	2327	2328	2329	2330	2331	2332	2333	2334	2335	2336	2337	2338	2339	2340	2341	2342	2343	2344	2345	2346	2347	2348	2349	2350	2351	2352	2353	2354	2355	2356	2357	2358	2359	2360	2361	2362	2363	2364	2365	2366	2367	2368	2369	2370	2371	2372	2373	2374	2375	2376	2377	2378	2379	2380	2381	2382	2383	2384	2385	2386	2387	2388	2389	2390	2391	2392	2393	2394	2395	2396	2397	2398	2399	2400	2401	2402	2403	2404	2405	2406	2407	2408	2409	2410	2411	2412	2413	2414	2415	2416	2417	2418	2419	2420	2421	2422	2423	2424	2425	2426	2427	2428	2429	2430	2431	2432	2433	2434	2435	2436	2437	2438	2439	2440	2441	2442	2443	2444	2445	2446	2447	2448	2449	2450	2451	2452	2453	2454	2455	2456	2457	2458	2459	2460	2461	2462	2463	2464	2465	2466	2467	2468	2469	2470	2471	2472	2473	2474	2475	2476	2477	2478	2479	2480	2481	2482	2483	2484	2485	2486	2487	2488	2489	2490	2491	2492	2493	2494	2495	2496	2497	2498	2499	2500	2501	2502	2503	2504	2505	2506	2507	2508	2509	2510	2511	2512	2513	2514	2515	2516	2517	2518	2519	2520	2521	2522	2523	2524	2525	2526	2527	2528	2529	2530	2531	2532	2533	2534	2535	2536	2537	2538	2539	2540	2541	2542	2543	2544	2545	2546	2547	2548	2549	2550	2551	2552	2553	2554	2555	2556	2557	2558	2559	2560	2561	2562	2563	2564	2565	2566	2567	2568	2569	2570	2571	2572	2573	2574	2575	2576	2577	2578	2579	2580	2581	2582	2583	2584	2585	2586	2587	2588	2589	2590	2591	2592	2593	2594	2595	2596	2597	2598	2599	2600	2601	2602	2603	2604	2605	2606	2607	2608	2609	2610	2611	2612	2613	2614	2615	2616	2617	2618	2619	2620	2621	2622	2623	2624	2625	2626	2627	2628	2629	2630	2631	2632	2633	2634	2635	2636	2637	2638	2639	2640	2641	2642	2643	2644	2645	2646	2647	2648	2649	2650	2651	2652	2653	2654	2655	2656	2657	2658	2659	2660	2661	2662	2663	2664	2665	2666	2667	2668	2669	2670	2671	2672	2673	2674	2675	2676	2677	2678	2679	2680	2681	2682	2683	2684	2685	2686	2687	2688	2689	2690	2691	2692	2693	2694	2695	2696	2697	2698	2699	2700	2701	2702	2703	2704	2705	2706	2707	2708	2709	2710	2711	2712	2713	2714	2715	2716	2717	2718	2719	2720	2721	2722	2723	2724	2725	2726	2727	2728	2729	2730	2731	2732	2733	2734	2735	2736	2737	2738	2739	2740	2741	2742	2743	2744	2745	2746	2747	2748	2749	2750	2751	2752	2753	2754	2755	2756	2757	2758	2759	2760	2761	2762	2763	2764	2765	2766	2767	2768	2769	2770	2771	2772	2773	2774	2775	2776	2777	2778	2779	2780	2781	2782	2783	2784	2785	2786	2787	2788	2789	2790	2791	2792	2793	2794	2795	2796	2797	2798	2799	2800	2801	2802	2803	2804	2805	2806	2807	2808	2809	2810	2811	2812	2813	2814	2815	2816	2817	2818	2819	2820	2821	2822	2823	2824	2825	2826	2827	2828	2829	2830	2831	2832	2833	2834	2835	2836	2837	2838	2839	2840	2841	2842	2843	2844	2845	2846	2847	2848	2849	2850	2851	2852	2853	2854	2855	2856	2857	2858	2859	2860	2861	2862	2863	2864	2865	2866	2867	2868	2869	2870	2871	2872	2873	2874	2875	2876	2877	2878	2879	2880	2881	2882	2883	2884	2885	2886	2887	2888	2889	2890	2891	2892	2893	2894	2895	2896	2897	2898	2899	2900	2901	2902	2903	2904	2905	2906	2907	2908	2909	2910	2911	2912	2913	2914	2915	2916	2917	2918	2919	2920	2921	2922	2923	2924	2925	2926	2927	2928	2929	2930	2931	2932	2933	2934	2935	2936	2937	2938	2939	2940	2941	2942	2943	2944	2945	2946	2947	2948	2949	2950	2951	2952	2953	2954	2955	2956	2957	2958	2959	2960	2961	2962	2963	2964	2965	2966	2967	2968	2969	2970	2971	2972	2973	2974	2975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Environment and Natural Resources Division
Salaries and Expenses
Reimbursable Resources
Summary of Requirements
(Dollars in thousands)

[illegible]

ⁱ Funding from the Environmental Protection Agency includes for Superfund \$31.9 million in 1995, \$25.0 million in 1996, and an anticipated \$12.3 million in 1997 to support 242 workyears.

¹ Releasable funds in the Management and Administration decision unit represent obligations by outside agencies on the Environment Division's Automated Litigation Support contracts.

Environment and Natural Resources Division
Self-Inspection and Remedial Action
Program Performance Information
Government Performance and Results Act Requirements

MISSION: Through litigation in the Federal and state courts, to protect public health and the environment through enforcement and defense of our nation's anti-pollution laws; to acquire and manage public lands, wildlife and natural resources; to protect our nation's rivers and the coastal zone; and to protect and manage Indian rights and property.

ORGANIZATIONAL GOALS:

1. To defend and enforce federal programs to protect the environment without undue economic costs, and to promote voluntary compliance with the Nation's environmental protection laws.
2. To defend and promote the public interest in federal land, water, mineral and Indian programs.
3. To fully satisfy client agencies by formulating legal positions, policy and legislation that best represent their interests.
4. To obtain real property necessary for public purposes through condemnation proceedings.
5. To defend or assert the government's position in Environment and Natural Resources Division cases in the appellate courts.
6. To provide legislative, public and Congressional liaison services for the Division's programs.
7. To monitor private party cases and participate as amicus curiae in selected cases.
8. To provide policy direction, management, budget formulation and execution, and ensure compliance with Freedom of Information and Privacy Acts.
9. To assess and continue the efforts which will be taken during 1996 to handle litigation more efficiently and economically by transferring staff to field offices and co-locating litigators with U.S. Attorneys where feasible and financially prudent. This may require additional funds.

**Environment and Natural Resources Division
Salaries and Expenses - General Legal Activities
Justification of Program and Performance**
(Dollars in Thousands)

ACTIVITY: APPELLATE & POLICY

1996 Appropriation Available	Perm.	Chg.	Amount
1997 Base	37	40	\$4,157
1997 Estimate	37	40	4,448
Increase/Decrease	...	40	4,671
		...	233

BRIEF PROGRAM DESCRIPTION: This decision unit includes two discrete sections: the Appellate Section and the Policy, Legislation and Special Litigation Section. The Environment and Natural Resources Division's Appellate Section is lead counsel in 95 percent of its cases, and works closely with the U.S. Attorneys and Division attorneys handling the remainder. Most work involves preparing briefs and oral arguments, which requires independent research as well as coordinating the positions of client agency staff and trial section attorneys, analyzing the justification for appeal, and seeking permission from the Solicitor General's Office to appeal adverse decisions. The unit also prepares draft briefs for the Solicitor General. The Policy, Legislation and Special Litigation Section (PLSL) advises and assists the Assistant Attorney General on legal policy issues, and coordinates and directs the Division's legislative program, including representing the Department at meetings with congressional staff. Other duties include: drafting speeches; monitoring and participating in citizen suits; responding to congressional requests; and serving as the Division's ethics officers. PLSL attorneys also coordinate international environmental matters and environmental justice matters, litigate antitrust cases, and undertake other specially assigned litigation projects at the trial and appellate levels.

PROGRAM CHANGES:

Appellate.....	Perm.	Chg.	Amount
Policy, Legislation and Special Litigation.....	...	...	\$152
Appellate & Policy .....	...	...	71
		...	223

Restoration of Base Resources. The Department is requesting resources in order to restore eroded base levels of funding in the General Legal Activities organizations. In 1996, the Department has not been able to provide funds for required payments such as pay raises and mandatory increases. The Appellate and Policy Activity is seeking a program increase of \$23,000 (no positions) in 1997 for restoration of these base resources.

The Environment Division's 1996 funding was held flat at \$58 million, \$3 million less than needed to cover mandatory cost increases. To make matters worse, the HUD-VA conferees directly addressed our Superfund

budget, and cut us from \$33.9 million to only \$23 million.¹ Taken together, our two appropriations were reduced more than \$10 million. As a result, we faced a choice between a Reduction-in-Force (RIF) or a drastic cut in automated litigation support funds. Reluctantly, we chose to cut litigation support.

But automated litigation support is essential to the effective conduct of the Division's litigation, providing a wide variety of technical services and systems. These include database design and creation, document management, creation of brief banks, digital imaging, and mapping capability. From 1993 to 1996, the Environment Division's automated litigation support funding was slashed from more than \$4 million to under \$1 million so that the money could be used to cover the higher payroll and other uncontrollable cost increases. These severe cuts have limited our options for handling our most important litigation. Cuts sustained in 1996 have forced us to take draconian cost-saving measures including laying off of scores of experienced contract employees, closing down important document centers, turning cases back to overworked government staff, and denying support requests in numerous cases which clearly warrant the services available from our contractors. Most significantly, the severe budget cuts have limited the Division's options for handling its most important litigation.

Without sufficient minimum funding for litigation support, the Division's attorneys cannot adequately represent the public. Although we have taken deep and far-reaching austerity measures, we have not been able to identify sufficient funding for automated litigation support in 1996. The requested program increase will restore funds cut in 1996, and allow us to provide a minimum level for automated litigation support funding of \$3 million in 1997. Without this essential additional support, not only will many of our most critical cases be jeopardized but the workload of the Appellate section would spiral upward as we struggled to belatedly redress the adverse rulings brought on by inadequate case preparation.

¹ The Environment Division receives approximately 35% of its funding and positions from the Superfund. From 1991 to 1995 we received \$32.3 million annually from EPA.

² The recent *Making Shale* trial illustrates the difference litigation support can make. Division and EPA lawyers working with a litigation support contractor were able to digitally image documentary and demonstrative evidence, including color photographs and then present them electronically to the judge and jury on a 60" courtroom monitor.

PERFORMANCE MEASUREMENT TABLE: PRESENTED BY DECISION UNIT

PERFORMANCE TARGETS AND ACTUAL RESULTS							
NAME OF DECISION UNIT: Appellate & Policy		PERFORMANCE INDICATOR INFORMATION					
Type of Indicator	Performance Indicators	1992 Actual	1994 Actual	1995 Actual	1995 Actual	1996 Target	1997 Target
Inputs	Cases/Matters Received	2,526	2,944	2,799	2,525	2,600	2,625
	FOIA Requests Received	199	176	199	180	200	200
	Controlled Correspondence	68	148	103	80	120	120
	Congressional Letters	26	98	109	80	120	120
	Requests for Amicus Cases	5	14	38	30	40	40
Output/Activity	Cases/Matters Closed*	2,630	2,270	2,317	1,890	2,475	2,400
	Appellate Briefs Filed	223	247	211	215	230	230
	Oral Arguments	102	114	112	120	120	120
	Amicus Case Filings	M/A	M/A	16	9	10	10
	Speeches Prepared	10	25	50	45		
	Testimony Prepared	2	5	15	10		
	Citizen Suit Consent Decrees Reviewed	37	48	51	40		
Inter-mediate Outcome	Courts of Appeals cases decided	140	172	150	145	150	150
	Supreme Court cases decided	5	7				
End Outcome							
Productivity/Efficiency	Percentage of Courts of Appeals Cases Mon	878	918		858	858	858
	Percentage of Supreme Court Cases Mon	748	948				
	FOIA Backlog	75	32	63	35	25	20
	Controlled Correspondence Backlog	35	44	4	15	10	10
	Congressional Letters Backlog	47	40	7	10	10	10

A. Definitions of Terms or Explanations for Indicators:	
•	Cases Won include cases in which we sought and obtained denial of certiorari. Also included are cases in which the Government prevailed in trial court and the opposition's appeal is withdrawn.
•	Cases Lost, conversely, include those cases where we sought certiorari but it was not granted.
•	"FOIA Backlog" is the number of requests that were not answered within 10 working days of receipt.
•	Amicus Requests are cases in which private parties or citizens' groups request that the Government join them in pursuing a change to an adverse lower court ruling. (Data for 1993 MAY be under-reported.)
•	Cases/Matters Closed are proximate estimates for 1995. Please note that the Division has embarked on a continuing case closing project so actual numbers may be higher.
•	Speeches Prepared and Testimony Prepared numbers are "best guess" estimates as the Section has not routinely tracked these items in the past.
•	Amicus Case Filings became a discrete category this January when the Case Management System was modified. Prior year figures are not totally reliable.
B. Factors Affecting FY 95 Program Performance.	
•	Workload for 1995 reflects the results of a Division-wide docket review and the subsequent effort to close numerous old, inactive cases files.
C. Factors Affecting Selection of FY 96 and 97 Targets.	
•	Almost by definition, Supreme Court cases are anomalies thus the Appellate Section cannot predict their number nor speculate as to a "win rate". Courts of Appeals cases on the other hand are far more frequent accordingly the Section is comfortable with targets involving them.

ACTIVITY: ENVIRONMENTAL PROTECTION

	Perm.	FTE	Amount
	Fed.		
1996 Appropriation Anticipated	221	230	\$30,938
1997 Base	221	230	32,788
1997 Estimate	221	230	34,433
Increase/Decrease	...	...	1,645

MAJOR PROGRAM DESCRIPTION: The Environmental Protection unit is comprised of the Environmental Crimes, Environmental Defense, and Environmental Enforcement Sections. While each is distinct, increasingly their work intersects. The Environmental Crimes Section serves two primary purposes: First, its attorneys investigate and prosecute criminal violators of federal environmental statutes. Prosecution is part of an increasingly integrated approach to ensure broad-based environmental compliance. Prosecution is a strong, deterrent, and a means of maintaining the law by individuals and corporations. Second, as a result of that litigation experience, the Section serves as a unique resource to support the work of USDOs and investigative agencies such as the EPA and FBI by providing highly trained and experienced prosecutors to assist in resource-demanding trials and prosecutions, by providing advice and litigation support to AUSAAs and agents in those cases that do not justify direct Section involvement, and by providing training and policy development to help expand and improve the federal environmental criminal enforcement program. The Environmental Defense Section defends rule-making, regulatory and permit actions and decisions made by the Environmental Protection Agency, the Army Corps of Engineers, and the Coast Guard. It also represents federal agencies sued for violations of environmental laws. The Section's cases include petitions for review of agency regulations in the appellate courts, district court cases involving permit decisions, and federal facility lawsuits. In addition to its defensive caseload, the Section has responsibility for affirmative civil litigation to enforce the wetlands laws. The Environmental Enforcement Section conducts enforcement of most of the Environmental Protection Agency statutes and rules which regulate discharges into the Nation's air and water and which govern pesticide operations, solid waste storage, and nuclear waste. The Section also has primary responsibility for Superfund litigation to compel site cleaning and to recover cleanup costs from responsible parties. Finally, the Section brings natural resource damage actions on behalf of the federal Departments of Commerce, Interior and Agriculture and pollution abatement actions on behalf of a number of other federal agencies. In 1997, this section expects to focus on our integrated enforcement. A primary goal of all environmental enforcement, be it civil or criminal, is to "level the playing field" such that those persons or industries who play by the rules do not suffer a competitive disadvantage. A hallmark of this litigation is establishing, by expert testimony, the "economic benefit" a company gained by, for instance, not buying the necessary pollution abatement equipment. Resulting penalties go to the U.S. Treasury and deter other similarly situated entities from violating the law. The sections in this activity provide an integrated approach to enforcement of environmental laws. This approach encompasses civil and criminal litigation as well as citizen enforcement suits, and frequently teams Department attorneys with

AUSAs, client counsel and state enforcement personnel in an effort to address public and private concerns. Together, this integrated approach to enforcement coupled with the threat of significant and ongoing economic penalty, should have a comprehensive and lasting effect on the environment.

PROGRAM CHANGES

	Perm. FOL	FTE	Amount
Environmental Crimes	\$161
Environmental Defense	479
Environmental Enforcement	1,903
Environmental Protection	1,665

Restoration of Base. The Department is requesting resources in order to restore eroded base levels of funding in the General Legal Activities organizations. In 1996, the Department has not been able to provide mandatory funds for required payments such as pay raises and related cost increases. The Environmental Protection activity is seeking a program increase of \$1,645,000 (no positions) in 1997 for restoration of its litigation support base.

Automated litigation support is essential to the effective conduct of the Division's litigation, providing a wide variety of technical services and systems. These include database design and creation, document management, creation of briefs, digital imaging, and mapping capability. From 1993 to 1996, the Environmental Defense Division's automated litigation support funding was slashed from more than \$6 million to under \$1 million so that the money could be used to cover the higher payroll and other uncontrollable cost increases. These severe cuts have limited our options for handling our most important litigation. Cuts sustained in 1996 have forced us to take draconian cost-saving measures including laying off of scores of experienced contract employees, closing down important document centers, turning cases back to overworked government staff, and denying support requests in numerous cases which clearly warrant the services available from our contractors. Most significantly, the severe budget cuts have limited the Division's options for handling its most important litigation.

Without sufficient minimum funding for litigation support, the Division's attorneys cannot adequately represent the public. Although we have taken deep and far-reaching austerity measures, we have not been able to identify sufficient funding for automated litigation support in 1996. The requested program increase will restore funds cut in 1996, and allow us to provide a minimum level for automated litigation support funding of \$3 million in 1997.

The requested restoration will allow the three affected sections to resume some of the litigation support activity on its most urgent cases, including those involving Pollution and Environmental Justice (e.g.,

¹ Over \$40 million in Supplemental Environmental Projects (SEPs) were obtained this past year, including a settlement which called for a \$12 million investment in six pollution prevention and pollution reduction projects which will bring about a net reduction of over 2,100,000 pounds of contaminants released to all media by the year 2001. (United States v. Eastman Kodak Co.)

against Borden Chemicals and Plastics of Louisiana for violations at its chemical plant in Orleans, Louisiana, located on the Mississippi River between Baton Rouge and New Orleans in the area known as "Cancer Alley." The Borden plant site in a highly industrialized area with a predominantly African-American population, and EPA determined that extremely high levels of chlorinated organic wastes, including vinyl chloride, a known human carcinogen, and ethylene dichloride, a suspected carcinogen, were being released into the groundwater. The wastes are not in public water supply, but they do contaminate the water for residential wells. Oil spill cases (such as the spill filed in 1975 against Koch Industries, Inc., a pipeline operator for hundreds of separate oil spills by Koch throughout Oklahoma, Kansas and Texas, and for spills into the Gulf of Mexico and where discovery is expected to yield more than 1,000,000 pages of evidence and hundreds of depositions are planned). The increase in the size and complexity of EPA referrals is an outgrowth of EPA's emphasis on multi-media/multi-facility litigation. This emphasis was reinforced by the newly consolidated Office of Enforcement and Compliance Assurance which intends to focus on cross-media enforcement efforts. We are now beginning to see the results of this program. Last year, we cited H.B. v. Louisiana Pacific as the type of multi-media, multi-facility case that was likely to increase in numbers as EPA began to focus on this approach to environmental enforcement. Indeed, that has been the case. The section is now handling over 100 multi-media cases including multi-facility, multi-state enforcement actions against a number of large corporations. Relatedly, each of the 10 EPA Regional Offices now has a multi-media component designed to bring together, in an integrated fashion, legal and technical enforcement professionals. Clearly more civil judicial enforcement cases will follow and they will be highly complex as they frequently involve difficult legal and technical/scientific issues, against multiple parties. In fact, while the section's case docket has increased by 31 percent since 1970, the number of defendants has increased 744 percent. Frequently, these defendants are large corporations which invest significant resources to contest the lawsuits. Enforcement section lawyers are almost always out-numbered and out-spent in conducting this litigation.

Litigation support isn't just for our affirmative cases; much of our litigation support budget goes to defensive case handling, including several significant cases involving Federal Government Liability for pollution. One such case currently involves ARCO which has filed 15 counterclaims against the United States alleging that actions by several agencies, taken between 1980 and 1970, render the federal government liable for a cleanup area that may encompass as many as 400 square miles, at a cost over \$1 billion, with U.S. liability estimated at \$100 million.

PERFORMANCE MEASUREMENT TABLE: PRESENTED BY DECISION UNIT

NAME OF DECISION UNIT: Environmental Protection		PERFORMANCE TARGETS AND ACTUAL RESULTS						
PERFORMANCE INDICATOR INFORMATION		PERFORMANCE TARGETS AND ACTUAL RESULTS						
Type of Indicator	Performance Indicators	1991 Actual	1994 Actual	1995 Actual	1995 Est.	1996 Target	1997 Target	
Inputs	Total Cases/Matters Received EPA Criminal Case Referrals EPA Criminal Investigative Agents FBI Direct Agent Workyears (DAWYs) Other Investigative Agency Referrals Civil Judicial Referrals Multi-Media Cases Defensive Water Act Cases Received Defensive Water Act Cases Pending CAA Defensive Case Referrals CAA Defensive Cases Pending	1,070 140 110 55 N/A 127 19 19 115 101 370	1,029 220 123 54 27 411 14 19 122 110 388	1,026 256 156 50 50 365 21 21 128 69 374	1,035 275 200 56 33 425 22 34 145 120 425	1,075 310 200 58 40 320 30 25 125 70 375	1,150 380 200 60 45 320 38 25 125 70 375	
Output/Activity	Cases/Matters Closed* Defendants Indicted Cases Indicted Civil Cases Filed, EES Trials and Hearings, Civil EES	774 186 88 230 500+	759 178 104 260 500+	1,413 257 110 224 589	885 200 110 255 589	845 220 125 185 589	890 250 150 185 589	
Inter-mediate Outcome	Convictions/Pleas EES Civil Fines, Penalties, Costs Recovered Criminal Fines and Penalties Superfund Costs Recovered Superfund Injunctive Relief Natural Resources Damages Non-Superfund Injunctive Relief Value of SFPs Ordered	168 \$ 97 M \$ 19 M \$343 M \$436 M \$ 72 M N/A \$ 37 M	127 \$ 65 M \$ 29 M \$105 M \$132 M \$ 21 M \$850 M \$ 41 M	\$ 91 M \$ 29 M \$192 M \$484 M \$ 16 M \$1.6 B \$120 M	\$ 50 M \$ 12 M \$305 M \$305 M \$ 50 M \$ 50 M \$ 50 M	160 \$ 16 M \$305 M \$305 M \$ 70 M \$ 70 M \$ 80 M	180 \$ 20 M \$305 M \$305 M \$ 80 M \$ 80 M \$ 80 M	
End Outcome	Reductions of air pollutants (since 1975): Ozone Sulfur Dioxide Carbon Monoxide Lead U.S. population served by secondary water treatment (source: 1996 Budget, p. 86)	285 538 528 968 161 M						

Productivity Efficiency	Conviction Rate Ratio of EIS budget to criminal penalties, fines, and other financial recoveries Ratio of EIS budget to civil penalties, fines, and other financial recoveries Percentage of indictments involving individuals Percentage of Clean Air Act Amendments regulations implemented	929	916	959	906	909
		\$4:1	\$7:1	\$3:1	\$4:1	\$4:1
		\$27:1	\$33:1	\$33:1	\$34:1	\$34:1
		N/A	71%	85%	85%	85%
		N/A	N/A	64%	75%	93%
A. Definitions of Terms or Explanations for Indicators:						
<ul style="list-style-type: none"> • Cases/Matters closed are prorated estimates for 1995 but please note that the Division has embarked on a case closing project so actual numbers may be higher. • Conviction rate includes convictions obtained by plea agreement and trial. • Ratio of budget to penalties... includes both the appropriated and superfund budgets as do the penalties, fines, et. al. recovered. • Ratio of EIS budget... is an all-inclusive figure, i.e., it includes the value of EISs and non-Superfund Injunctive Relief. 						
B. Factors Affecting FY 95 Program Performance:						
<ul style="list-style-type: none"> • Workload for 1995 reflects the results of a Division-wide docket review and the subsequent effort to close numerous old, inactive cases files. 						
C. Factors Affecting Selection of FY 96 and 97 Targets:						
These projections are based on current legislation; dollar amounts could be significantly affected if legislative changes are enacted (e.g., superfund reauthorization).						
FOOTNOTES: Our sections are extremely reluctant to set monetary "targets" because, especially in the criminal prosecutions, investigations and prosecutions are primarily driven by the Principles of Federal Prosecution -- not monetary concerns.						

Salaries and Expenses, General Legal Activities
Justification of Program and Performance
(Dollars in Thousands)

ACTIVITY: NATURAL RESOURCES

	Perm.	ZIS	Amount
1996 Appropriation Anticipated	Pos.	161	\$10,419
1997 Base	154	161	19,520
1997 Estimate	154	161	20,498
Increase/Decrease	...	...	978

BASIS PROGRAM DESCRIPTION: The Natural Resources program includes four sections: the General Litigation, Indian Resources, Land Acquisition and Wildlife and Marine Resources Sections. The General Litigation Section is the largest of the four sections in this Decision Unit; its cases span over 70 statutory areas administered by several dozen client agencies. Traditional General Litigation cases involve inverse condemnation, in which Government actions are alleged to have taken private property; Indian claims for monetary relief from Government inaction or mismanagement; defense of federal programs challenged for faulty environmental impact analyses; and mineral leasing and mining cases on land and in the Outer Continental Shelf. The spectrum of program initiatives exposed to statutory and constitutional challenge is as broad as the federal portfolio on environmental and public land issues -- and growing. It includes such programs and projects as: biotechnology research, missile and submarine defense, highways, dams, nuclear waste transportation and treatment; challenges to agency actions under the National Environmental Policy Act; decisions regarding Indians and Indian tribes; agency action under the Alaska Native Claims Settlement Act; water rights litigation affecting federal interests including defense of the United States' interest in general stream adjudications; and the federal surface mining program. It also reaches to litigation affecting mineral resources and seeks to obtain federal royalties. Finally, it extends to include those interests related to adjacent seas and seabeds and the determination of the location of the coastline and other maritime boundaries of the United States. The United States has established trust relationships with various Indians and Indian tribes through a myriad of treaties, statutes and Executive Orders. Under these authorities, the Government is obliged to perform a number of functions on behalf of these tribes, including litigation to defend their rights. The Indian Resources Section handles these cases, including critical litigation involving water rights. Many Indian reservations lie in the arid portions of the country where competition for water is fierce, and tribal rights to water must be established before reservation lands can be developed. Over 50 million acres of reservation lands and the rights to major water systems in dry western states are at stake. Other cases in which the Government represents the interests of Indians involve the establishment and protection of hunting and fishing rights and suits to answer questions about tribal rights to self-determination. The Land Acquisition Section is responsible for acquiring properties needed for Congressionally authorized purposes which acquiring agencies are unable to directly purchase. They are obtained through condemnation proceedings in which just compensation is determined and awarded to property owners. Acquisition by condemnation is a means of last resort; agencies are required by law, to the greatest extent practicable, to make every reasonable effort to acquire property by negotiation and direct purchase before requesting condemnation. A top priority is to move these high-exposure cases expeditiously. The Wildlife and Marine Resources Section has responsibility for both civil and criminal

cases arising under the federal fish and wildlife conservation statutes. Litigation under these statutes can play out in any of three different contexts: civil damages litigation, in which the Section defends federal agencies whose programs are challenged as inconsistent with the requirements of federal conservation statutes; civil enforcement actions, principally in which we seek to enjoin persons (which can include private, state, or local entities) from violating federal conservation statutes; and criminal prosecutions. The principal client agencies of the Wildlife Section are the Interior Department's Fish and Wildlife Service and the Commerce Department's National Oceanic and Atmospheric Administration.

PROGRAM CHANGES

	Fed.	FWS	Amount
General Litigation	\$561
Indian Resources	183
Land Acquisition	387
Wildlife & Marine Resources	182
Natural Resources	978

Restoration of Base. The Department is requesting resources in order to restore eroded base levels of funding in the General Legal Activities organizations. In 1996, the Department has not been able to provide funds for required payments such as pay raises and related cost increases. The Natural Resources activity is seeking a program increase of \$978,000 (no positions) in 1997 for restoration of its litigation support base.

Automated litigation support is essential to the effective conduct of the Division's litigation, providing a wide variety of technical services and systems. These include database design and creation, document management, creation of brief banks, digital imaging, and mapping capability. From 1993 to 1996, the Environment Division's automated litigation support funding was slashed from more than \$4 million to under \$1 million so that the money could be used to cover the higher payroll and other uncontrollable cost increases. These severe cuts have limited our options for handling our most important litigation. Cuts sustained in 1996 have forced us to take draconian cost-saving measures including laying off of scores of experienced contract employees, closing down important document centers, turning cases back to overworked government staff, and denying support requests in numerous cases which clearly warrant the services available from our contractors. Most significantly, the severe budget cuts have limited the Division's options for handling its most important litigation.

Without sufficient minimum funding for litigation support, the Division's attorneys cannot adequately represent the public. Although we have taken deep and far-reaching austerity measures, we have not been able to identify sufficient funding for automated litigation support in 1996. The requested program increase will restore funds cut in 1996, and allow us to provide a minimum level for automated litigation support funding of \$3 million in 1997.

The requested restoration will allow the four affected sections to resume some of the litigation support activity on its most urgent cases, including those involving water rights (notably this includes the Snake River Basin Adjudication, a landmark water rights case in Idaho involving 180,000 separate claims to water rights, of which approximately 50,000 are claims made by the United States on behalf of government

facilities, national parks and national forests, and on behalf of affected Indian tribes. If the government fails to establish these rights now, they will be lost forever. Automated litigation support is of critical importance in managing the logistical needs of a case such as this. In 1995 the Division was able to devote over \$675,000 to the case; to keep pace with the developments in the litigation, we need \$1 million but could only earmark \$180,000 in 1996 for this case.

But litigation support isn't just for our water rights cases; much of our litigation support budget goes to defensive case handling. The Natural Resources activity will be able to partially restore litigation support so as to defend Federal Government liability in regulatory "takings" cases. Currently, in 150 pending regulatory "takings" cases filed in the Court of Federal Claims, the United States is threatened with billions of dollars of potential liability. However, the government's true liability will be double or triple that amount if adverse rulings are delivered in precedent-setting cases. For example, Conoco and eleven other major oil companies filed suit to recover from the federal government \$70 million, alleging that a government moratorium on oil drilling on the outer Continental shelf amounted to a "taking" of the companies' assets. The companies did not drill prior to the 1989 moratorium, although they could have done so under the terms of the leases then in effect. If they prevail, the government could be exposed to numerous similar claims that government delays or decisions amount to a "taking" of property. In 1995, the Division was able to devote over \$650,000 to takings cases and, even though a minimum need of \$750,000 was identified in 1996, the Division was only able to identify \$80,000 for these cases.

PERFORMANCE MEASUREMENT TABLE, PRESENTED BY DECISION UNIT

NAME OF DECISION UNIT: Natural Resources									
PERFORMANCE INDICATOR INFORMATION		PERFORMANCE TARGETS AND ACTUAL RESULTS							
Type of Indicator	Performance Indicators	1993 Actual	1994 Actual	1995 Actual	1995 Met.	1996 Target	1997 Target		
Input	Cases/Matters received	1,094	1,848	1,924	1,035	1,790	1,070		
Output or Activity	Cases/Matters Closed: Preliminary Opinions of Title prepared Final Opinions Agency delegated title opinions reviewed Appraisal review (tracts)	2,003 56 117 1,648 612	1,190 257 87 1,806 904	2,669 254 234 1,059 929	2,110 90 75 1,409 1,000	2,045 90 100 1,200 1,000	2,155 90 100 1,200 1,000		
Inter-mediate Outcome	Percentage of condemnation cases in which the U.S. qualifies as prevailing party Indictments and Informations	NA 40	83% 129	85% 145	85% 150	87% 150	90% 160		
End Outcome	Amount of claimed compensation saved: Condemnation cases Takings cases	\$60.1M \$ 8.1M	\$78.2M \$14.1M	\$39 M \$3.38	\$80 M \$12 M	\$45 M \$15 M	\$50 M \$15 M		
Efficiency	Conviction rate	95%	100%	92%	95%	95%	95%		
A. Definitions of Terms or Explanations for Indicators:									
High numbers of tracts received, preliminary opinions and final opinions due to FMAA program which terminated in 1995.									
The percentage of condemnation cases in which the US is prevailing party is estimated because not all data from USAOs available at this time.									
A significant number of previously pending takings cases with high dollar exposure were favorably resolved, indeed, many of these case outcomes were outright dismissals of the claims with no liability at this time. Examples of such include: Copperhill Development v. United States, \$28 million; Holden v. United States, \$43.4 million; Bell v. United States, \$23 million; State of Alaska v. United States, \$2.5 billion; Boyd v. United States, \$1 billion; Kunkes v. United States, \$575 million; Lariacy v. United States, \$50 million; Lucky Strike Mining v. United States, \$100 million; and, Last Chance Mining v. United States, \$40 million.									

<p>B. Factors Affecting FY 95 Program Performance.</p> <p>* Workload for 1995 reflects the results of a Division-wide docket review and the subsequent effort to close numerous old, inactive cases files.</p>
<p>C. Factors Affecting Selection of FY 96 and 97 Targets. Receipt of requested increases</p>
<p>NOTE: The Indian Resources Section is devising a comprehensive performance measure involving the amount and worth of property/water rights before and after litigation; while we hope to have this measure in place soon, it involves an extensive data collection effort and could not be assembled for this budget.</p>

Environment and Natural Resources Division
Salaries and Expenses, General Legal Activities
Justification of Program and Performance
 (Dollars in Thousands)

ACTIVITY: MANAGEMENT AND ADMINISTRATION

	Perm. FTE	FTE	Amount
1996 Appropriation Anticipated	37	45	\$4,478
1997 Base	37	45	4,745
1997 Estimate	37	45	4,964
Increase/Decrease	...	...	239

BRIEF PROGRAM DESCRIPTION: The Management and Administration decision unit includes the Office of the Assistant Attorney General and the Executive Office for Administration. Thus, this program provides overall direction and management to the Environment and Natural Resources Division, and supervises and administers operations necessary to support the Division's litigation mission. Responsibilities of the latter unit include: budget preparation and execution; financial management; development, operation and maintenance of management and automated support systems; workload and resource requirements analysis; recruitment, processing of personnel actions; management of space and facilities; provision of office equipment and supplies; processing mail; and the provision of messenger, copying and printing services. In addition to overseeing the renewal of the Environmental Crimes Section, and testifying before Congress on a wide variety of matters, the Office of the Assistant Attorney General has moved aggressively this past year on a number of fronts: working with the Associate Attorney General to spearhead a Department response to the County of Supreme Court, improving Superfund enforcement by encouraging administrative settlements, prospective purchaser agreements and expanded use of Alternative Dispute Resolution (ADR); and integrating the various sections into a coordinated effort. The Executive Office has been productive, the result of collection of debts owed the Government, provided modern telecommunication services to field offices, completed a study and training in the use of Visa Cards as an alternative procurement method, provided litigation support to approximately 190 cases and projects, including trial support which was instrumental in the highly successful outcome of the Marine Shale trial and the Northern Spotted Owl hearings, and served as the primary participant in the procurement of the Department-wide Justice Consolidated Office Network (JCON), the next generation office automation system scheduled for implementation in early 1996.

PROGRAM CHANGES:

	Perm. FTE	FTE	Amount
Office of the Assistant Attorney General	453
Executive Office	186
Management and Administration	239

Restoration of Litigation Support Budget. The Environment Division was forced to develop a 1996 appropriated budget plan based on flat funding of approximately \$58 million, the level at which we operated in 1995. EPA's first responsibility was to cover payroll and other non-discretionary expenses. Our funding in 1995, EPA's first responsibility was to cover payroll and other non-discretionary expenses. Our funding with higher costs for benefit contributions, higher office rent rates, and growth in many reimbursable DOE Working Capital Fund programs, will cost the Division approximately \$12.5 million more in 1996 than these same items cost in 1995. Accordingly, we shaved allotments in every area of the budget in which we have flexibility, including hiring, litigation ceilings, and travel. It seemed that the only way to cover a shortfall of this magnitude was to institute reduction in force. But the Division then made a conscious and considered decision: we would not conduct a RIF. It would cause irreparable harm to the division, exacting a toll far greater than the budget numbers alone might suggest. Instead, we would deplete another source -- our litigation support budget. To do so, however, meant completely averting our litigation support base, cutting from over \$6 million spent in 1995 to a planned 1996 spending rate of \$60,000 -- nearly a 90 percent cut.

And we will pay a heavy price in 1996. The enormity of this cut not only cripples the Division's ability to adequately represent the interests of our clients but jeopardizes all of the Division's litigation, including its most important litigation. Among the hardest hit will be high priority, complex cases in areas as diverse as ecosystem management, pollution control, Native American water rights and oil spill cases and, equally important, support for critical defense cases where government programs are challenged and we risk judgments against us in the hundreds of millions of dollars. While acutely hobbled in 1996, we believe that we can still resurrect and further case development on a number of cases if our base for litigation support is partially restored in 1997.

In the preceding activity justification for Environmental Protection and Natural Resources, we have set forth the specific need for litigation support as well as the adverse impact of minimal funding. But apart from these specifics, it should be stressed that litigation support in general is critical to our cases and that it is not a luxury. Like our opponents, we find that litigation support is a necessity, enabling us to create management information systems to support us from the early investigative discovery on through trial and appeal. With it, we can provide a wide variety of technical services and systems including database design and creation, document management, creation of brief banks, digital imaging, and mapping capability. ALS is the most cost-effective means of managing large-document cases.

* Not addressed in this budget is the potential cost of expanding our field offices. The 1996 appropriation bill for the Department of Justice required that the Attorney General report by March 1, 1996 on the transfer of attorneys to field locations of the Environment and Tax Divisions. While we continue to explore viable options in this area it is clear that we cannot afford to make any such changes without additional resources. For instance, we currently estimate that a transfer of 36 staff (including 20 lawyers) to field offices would cost approximately \$2.5 million for moving expenses, office space, telephones and equipment. Many of these costs will recur year after year. Some view the proposed transfer to field offices as a potential cost saving measure; our experience suggests however that because field offices do not benefit from economies of scale, they may cost more to operate. Thus while field office expansion includes many benefits, we cannot afford to implement this option without additional resources.

PERFORMANCE MEASUREMENT TABLE: PRESENTED BY DECISION UNIT									
NAME OF DECISION UNIT: Management & Administration		PERFORMANCE TARGETS AND ACTUAL RESULTS							
Type of Indicator	Performance Indicator Information	1993 Actual				1994 Actual			
		1993 Actual	1994 Actual	1995 Est.	1996 Target	1997 Target	1998 Target	1999 Target	2000 Target
Input	Performance Indicators								
	Honor Grad Applications Reviewed	987	1,070	794	1,000	800	800	800	800
Output or Activity	Travel Authorizations Processed	6,019	6,334	6,462					
	Dollar Volume of Authorized Travel	\$3.3M	\$3.6M	\$3.6M					
	Purchase Orders Processed	N/A	2,245	2,181	2,300	1,600	1,600	1,600	1,600
	Visa Transactions	N/A	44	55	150	1,500	1,500	1,500	1,500
	Dollar Volume of Reimbursable Agreements	\$42.5M	\$53.2M	\$55.2M					
	Export Witness Contract Actions	450	\$12.6M	\$13.2M	1,135	1,200	1,200	1,200	1,200
	Dollar Volume of Export Witness Agreements	\$11.5M	\$12.6M	\$13.2M	\$10.4M	\$12.0M	\$12.0M	\$12.0M	\$12.0M
	Litigation Support Task Orders:								
	--BND	307	216	235					
	--BND-BND	29	76	185					
	Litigation Support contract funding:								
	--Appropriated	\$9.8M	\$7.3M	\$6.7M					
	--Reimbursable	\$5.0M	\$6.1M	\$6.2M					
	--Other Divisions	\$1.2M	\$1.2M	\$1.2M					
	--Miscellaneous	\$0.6M	\$0.6M	\$0.6M					
		19.6M	\$19.1M	\$19.2M	\$20.5M	\$22.0M	\$22.0M	\$22.0M	\$22.0M
	Honor Grade Interviewed	241	293	130	200	220	220	220	220
Intermediate Outcome	Money collected on debts owed the U.S.	\$232 M	\$390 M	\$247M	\$ 0.5M				
	Money owed/collected in Citizen Suits	\$1.6M	\$1.9M	\$0.3M					
End Outcome									
Productivity/Efficiency	Percent of Honor Grade Accepting Job Offer	86%	100%	81%	90%	90%	90%	100%	100%

<p>A. Definitions of Terms or Explanations for Indicators:</p> <p>"Other divisions" -- This category reflects those instances when our contracts are used as a vehicle for another DOJ entity's work, i.e., no work is performed on behalf of the ENRD, and the billing is direct to that entity.</p>
<p>B. Factors Affecting FY 95 Program Performance.</p>
<p>C. Factors Affecting Selection of FY 96 and 97 Targets.</p> <p>Effect of erratic funding given multiplicity of Continuing Resolutions in 1996 and receipt of requested increases</p>

[illegible]

Environment and Natural Resources Division

Salaries and Expenses, General Legal Activities

Status of Congressionally Requested Studies, Reports and Evaluations

1. The Conference Report to the Justice Department a 1996 appropriation requested the Attorney General to report by March 1, 1996 to the Subcommittee of the House and Senate on transferring Tax and Environment Division employees to field offices. A report was submitted by the Department.

Environment and Natural Resources Division
 Salinity and Wetlands General Local Activities
 Priority Ranking
 (Dollars in Thousands)

Base Program		Program Increase	
Program	Ranking	Program	Ranking
Environmental Protection	1	Environmental Protection	2
Natural Resources	2	Restoration of Base	1
Appellate & Policy	3	Restoration of Base	3
Management & Administration	4	Restoration of Base	4

Environment and Natural Resources Division
Salaries and Expenses - General Legal Activities
Detail of Permanent Positions by Category
Fiscal Years 1975 - 1977

	1975		1976		1977	
	Author- ized	Rele- ased	Author- ized	Rele- ased	Author- ized	Rele- ased
	Total	Available	Total	Available	Total	Available
Attorneys (905)	307	127	302	127	302	127
Paralegal Specialists (950)	48	39	45	39	45	39
Other Legal and kindred (900-998)	18	...	16	...	16	...
General Admin. and Clerical (300-399)	77	76	77	76	77	76
Accounting and Budget (500-599)	4	...	4	...	4	...
Business and Industry Group (1100-1199) ..	3	...	3	...	3	...
Total	457	242	449	242	449	242
Washington	437	230	419	230	419	230
U.S. Field	30	12	30	12	30	12
Total	457	242	449	242	449	242
Headquarters Staff	90	...	93	...	93	...
Supervisors	4	4	4	4	4	4
Personnel Specialists	1	...	1	...	1	...
Budget Specialists	4	...	4	...	4	...
Accountants and Auditors	2	...	2	...	2	...
Acquisition Specialists	37	...	37	...	37	...
Headquarters Staff	37	...	37	...	37	...

Environment and Natural Resources Division
Salaries and Expenses - General Level Activities
Summary of Attorney and Support Positions/Workyears
(Dollars in Thousands)

Appropriated Positions

	1976 Authorization Anticipated			1977 Program Changes						1977 Annual		
	Attorneys	Support	Total	Attorneys	Support	Total	Pos.	FTE	Pos.	Attorneys	Support	Total
Appellate & Policy	31	4	37	40	...	...	...	...	...	31	4	37
Environmental Protection	145	76	221	230	...	...	...	...	...	145	76	221
Natural Resources	116	40	156	161	...	...	...	...	...	116	40	156
Management & Admin.	11	25	37	45	...	...	...	...	...	11	25	37
Total	303	145	448	476	...	...	...	...	...	303	145	448

Reimbursable Positions

	1976 Authorization Anticipated			1977 Program Changes						1977 Annual		
	Attorneys	Support	Total	Attorneys	Support	Total	Pos.	FTE	Pos.	Attorneys	Support	Total
Appellate & Policy	4	1	5	5	...	...	...	...	...	4	1	5
Environmental Protection	121	83	204	204	...	...	...	...	...	121	83	204
Natural Resources .....	...	...	...	...	...	...	...	...	...	...	...	...
Management & Admin.	2	31	33	33	...	...	...	...	...	2	31	33
Total	127	115	242	242	...	...	...	...	...	127	115	242

Total Positions

	1976 Annual to Congress			1977 Program Changes						1977 Annual		
	Attorneys	Support	Total	Attorneys	Support	Total	Pos.	FTE	Pos.	Attorneys	Support	Total
Appellate & Policy	35	5	40	45	...	...	...	...	...	35	5	40
Environmental Protection	246	159	405	434	...	...	...	...	...	246	159	405
Natural Resources	116	40	156	161	...	...	...	...	...	116	40	156
Management & Admin.	13	25	38	45	...	...	...	...	...	13	25	38
Total	410	229	639	645	...	...	...	...	...	410	229	639

Environment and Natural Resources Division
 Wildlife and Energy Development Activities
 Budgetary Control System
 (Dollars in thousands)

Adjustments to Base:			
1996 Conference Allowance	449	476	61,501
Adjustments to base:			
Transfers:			
FWS relocation .....	...	...	17
Belt management relocation .....	...	...	-48
Increases:			
1997 Pay Raise .....	...	...	712
Annualization of 1996 locality pay adjustment .....	...	...	84
Annualization of 1996 pay raise .....	...	...	544
Within-grade increases .....	...	...	577
Travel: Mileage Allowance Rate .....	...	...	5
GSA Rent .....	...	...	1,196
General pricing level adjustment .....	...	...	342
Increase in Litigation Support Contracts .....	...	...	289
Total, mandatory increases .....	...	...	3,410
Total, Adjustments to Base .....	...	...	3,442
1997 Base	449	476	61,501
Program Increases .....	...	...	3,442
1997 Estimate	449	476	64,943

Environment and Natural Resources Division
Salaries and Expenses - General Local Activities
Summary of Requirements by Grade and Object Class
(Dollars in thousands)

	1972 Actual		1974 Anticipated		1977 Estimate		Increase/Decrease
	L15	Amount	L15	Amount	L15	Amount	L15
Object Class							
11.1 Full-time permanent	436	\$21,190	436	\$22,000	436	\$25,118	3,118
11.2 Other than full-time permanent	37	370	37	396	37	397	27
11.3 Other personnel compensation	7	165	7	165	7	165	0
11.6 Special personal services payments		400		400		400	0
Total	474	22,133	474	23,071	474	25,170	2,099
Reimbursable employees:							
Full-time permanent	(242)		(242)		(242)		(...)
Other objects:							
Total appropriated positions	637	22,133	649	23,471	649	25,170	2,697
12 Benefits		5,990		6,361		6,746	356
13 Unemployment		31		31		31	0
21 Travel		3,000		3,021		3,021	21
22 Travel - out of state		438		438		438	0
23.1 Gas Rent		5,434		5,434		6,000	566
23.2 Other Rent		110		110		110	0
23.3 Communications utilities and misc charges		1,218		1,218		1,218	0
24 Printing		537		537		537	0
25.1 Advisory and Assistance services		37		37		37	0
25.2 Other Services		14,126		12,493		15,051	2,555
25.3 Services Purchases from Government Accounts		2,422		3,145		3,145	723
26 Supplies		45		45		45	0
27 Equipment		507		507		507	0
Total obligations		58,756		59,033		64,186	5,153

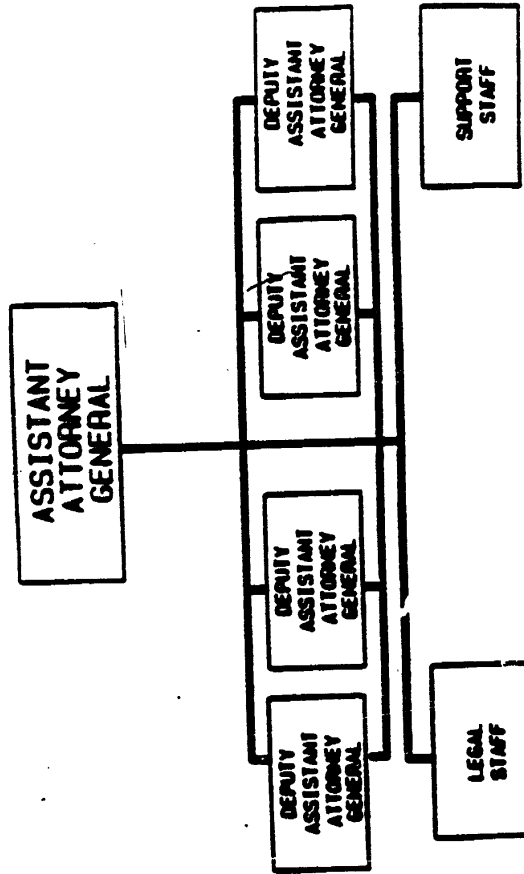
Environment and Natural Resources Division
Salaries and Expenses, General Legal Activities
Justification of Multi-Activity Program Changes
(Dollars in thousands)

Student Activity/Program	Litigation Number	Case #	Amount
Appellate	\$152
Policy, Legislation and Special Litigation	71
Environmental Protection:			
Environmental Crimes	161
Environmental Defense	77
Environmental Enforcement	1,005
Natural Resources:			
General Litigation	541
Land Acquisition	103
Indian Resources	207
Wildlife and Marine Resources	107
Monuments & Administrations:			
Office of the AG	53
Executive Office	106
Special	3,005

The Department is requesting resources in order to restore needed base levels of funding in the General Legal Protection of Base Resources. In 1996, the Department has not been able to provide payments such as pay raises and mandatory merit increases. The Environment Division is seeking a program increase of \$1,005,000 (no position) in 1997 for restoration of these base resources. The Environment Division's 1996 funding was held flat at \$56 million, \$3 million less than needed to pay for mandatory cost increases. To make matters worse, the MPA-VA conferees directly addressed our Superfund budget, and cut us from \$33.9 million to only \$25 million. Taken together, our two major appropriations were reduced more than \$10 million. As a result, we faced a choice between a Reduction-in-Force (RIF) or a drastic cut in automated litigation support funds. Reluctantly, we chose to cut litigation support.

Increased litigation support, is essential to the effective conduct of the Priviler's litigation, providing a wide variety of technical services and the ability to respond quickly to changing needs. In 1986, the Environmental Priviler's estimated litigation support funding was \$10 million so that the program could continue to provide the highest quality legal representation available. The Environmental Priviler's estimated litigation support funding for 1987 would be used to cover the higher payroll and other uncontrollable cost increases. These severe cuts have limited our options for handling our most important litigation. Data submitted in 1986 have forced us to take draconian cost-saving measures including laying off of scores of experienced contract employees, closing down important documents, turning cases back to overworked government staff, and denying support requests in numerous cases which clearly warrant the service available from our contractors. Most significantly, the severe budget cuts have limited the Priviler's ability to handle the most important litigation without additional financial assistance. We are requesting that you increase the litigation support funding for unmet need litigation support in 1987. The requested program increase will restore funds cut in 1986, and allow us to provide a minimum level for increased litigation support funding of \$3 million in 1987.

OFFICE OF LEGAL COUNSEL



[Signature]
JAMES E. ...
Attorney General
Date: 1/15/88

Office of Legal Counsel
Salaries and Expenses - General Legal Activities
Summary of Requirements
(Dollars in Thousands)

Adjustments to Base:	Perm. Pos.	Work- Years	Annual
1995 Direct Appropriation Enacted	37	41	\$1,976
Reprogramming - OSA Rest (one-time)			-50
1995 One-time Reduction			-9
1995 Direct Appropriation Anticipated			3,908
1996 Contingency Allowance			4,191
Mandatory Increases:			181
Reduction of Unfunded Locality Pay Adjustment			-29
Reduction for 1997 Pay Rate Adjustment			-3
Retirement Cost Adjustment			5
Mail Management Transfer			-11
1997 Base			4,255
Program Changes:			
Restoration of 1995 Funding Denied			95
Restoration of 1996 Base Cuts			95
Total, 1996 Funding Denied			95
Total Program Changes			95
Total 1997 Direct Request	37	41	\$4,350

Estimate by Division	1995-96 Estimate			1996-97 Estimate			1997-98 Estimate			1998-99 Estimate			1999-00 Estimate			2000-01 Estimate		
	PT	EST	AMOUNT	PT	EST	AMOUNT	PT	EST	AMOUNT	PT	EST	AMOUNT	PT	EST	AMOUNT	PT	EST	AMOUNT
6. Legal Division	37	41	1,976	37	41	1,976	37	41	1,976	37	41	1,976	37	41	1,976	37	41	1,976

Office of Legal Counsel
Salaries and Expenses
Justification of Program Performance
(Dollars in Thousands)

	Pers.	FEA	Amount
Legal Opinions			
1996 Conference Allowance	37	41	\$4,090
1997 Base	37	41	4,255
1997 Estimate	37	41	4,350
Increase/Decrease	0	0	95

BASE PROGRAM DESCRIPTION:

The authority for the Office of Legal Counsel (OLC) is provided in 28 C.F.R. 0.25. The principal duty of OLC is to assist the Attorney General in the role as legal adviser to the President and Executive Branch agencies and as arbiter of legal disputes within the Executive Branch. OLC also provides general legal assistance to other components of the Department, especially where litigation or proposed legislation raises constitutional issues or general issues of executive authority. It reviews for form and legality all Executive Orders and Proclamations proposed by the President, as well as all proposed Orders of the Attorney General and all regulations requiring Attorney General approval. In addition, OLC is also involved in coordinating the work of the Department regarding treaties, executive agreements and international organizations, and performs a variety of special assignments referred to the Office by the Attorney General, the Deputy Attorney General or the Associate Attorney General. The Office also has responsibility for advising the Office of Government Ethics on matters of law in the area of conflict of interest.

At the direction of the Attorney General and the Deputy Attorney General, OLC has convened meetings of General Counsels' consisting of the general counsels of the principal Executive Branch components and chaired by OLC. This group has been and will be utilized to improve coordination and consistency in handling important legal issues of concern through the Executive Branch, particularly legal matters bearing upon the President's constitutional responsibilities and authority.

Currently, it is a rare occasion that requests are considered appropriate for formal Attorney General opinions, which are drafted in OLC and reviewed, revised and approved by

the Attorney General. Instead, requests result in the preparation of legal opinions signed by the Assistant Attorney General or one of the deputies based upon the research of one or more of the Office's staff attorneys. Other requests result in the provision of oral advice to the client agency. Since 1977, at the direction of the Attorney General, this Office has published selected formal opinions. Volumes covering the years 1977 through 1987 have been issued. Softbound volumes covering the years 1988 through 1992 have been issued as preliminary prints. Production of hardbound editions for these years is pending. OLC has released in looseleaf form the opinions of the Office from 1993 through April 1995 as an interim measure preliminary to publication in hard-bound volumes.

OLC's role in the Department's legislative program has increased dramatically in recent years, and includes drafting legislative opinions, testimony, and preparation of presidential signing statements. OLC has taken a major role in either testifying or preparing testimony in connection with pending legislation of interest to the Department and the Administration, and has assisted in the drafting of legislation.

In addition, because of its expertise in certain areas, OLC has assumed an on-going advisory role to other Department components, including to the Solicitor General and the litigating divisions on issues relating to separation of powers, executive privilege, national security matters, federalism, and immigration matters.

OLC generally does not initiate any programs nor does it have control over the volume of its work. The work results from requests for opinions and legal advice from the President, the White House staff through the Counsel to the President, the Attorney General, members of the Cabinet and heads of Executive Branch agencies and other Department of Justice officials.

ACCOMPLISHMENTS AND WORKLOAD:

Items	Estimates	
	1994	1995
Executive Orders and Proclamations	93	96
Opinions	751	1,239
Intradepartmental Opinions	2,677	2,737
Special Assignments	2,315	2,325

EXPLANATION:

The "Opinions" category is an estimate of advice given to the White House, OMB and other Executive Departments and agencies. It includes both written and oral advice as well as responses to requests for information.

The "Intradepartmental Opinions" category is an estimate of informal advice, formal opinions, and bill comments given to the Office of the Attorney General as well as other Departmental Units.

The "Executive Orders, Proclamations" category includes Orders reviewed by OLC for formal and legality, often on an expedited basis.

The "Special Assignment" category is an estimate of a number of different matters which consist of administrative matters, including responses to oral requests for information and referral, and citizen inquiries as well as review of Freedom of Information Act and Privacy Act requests.

Program Changes:

	Perm.	Pos.	NY Amount
Restoration of Base Resources	\$95

The Department is requesting resources in order to restore eroded base levels of funding in the General Legal Activities organizations. In 1996, the Department has not been able to provide funds for required payments such as pay raises and inflationary increases. OLC's budget primarily pays for staff salaries and mandatory expenses of which we have no direct control. Any category of reduction to our requested budget would simply mean that OLC's vital functions cannot be performed with the speed and diligence they demand.

Office of Legal Counsel
Salaries and Expenses, General Legal Activities
Detail of Permanent Positions by Category
Fiscal Year 1995 - 1997

Category	1995 Authorized	1996 Request	1997 Estimate
Attorneys (900)	22	22	22
Paralegal Specialist (950)	4	4	4
Secretaries	8	8	8
General Administrative, clerical & office svc. (300-399)	3	3	3
Total	37	37	37
Washington	37	37	37
Total	37	37	37

Office of Legal Counsel
Salaries and Benefits - General Legal Activities
Financial Analysis - Program Changes
(Dollars in Thousands)

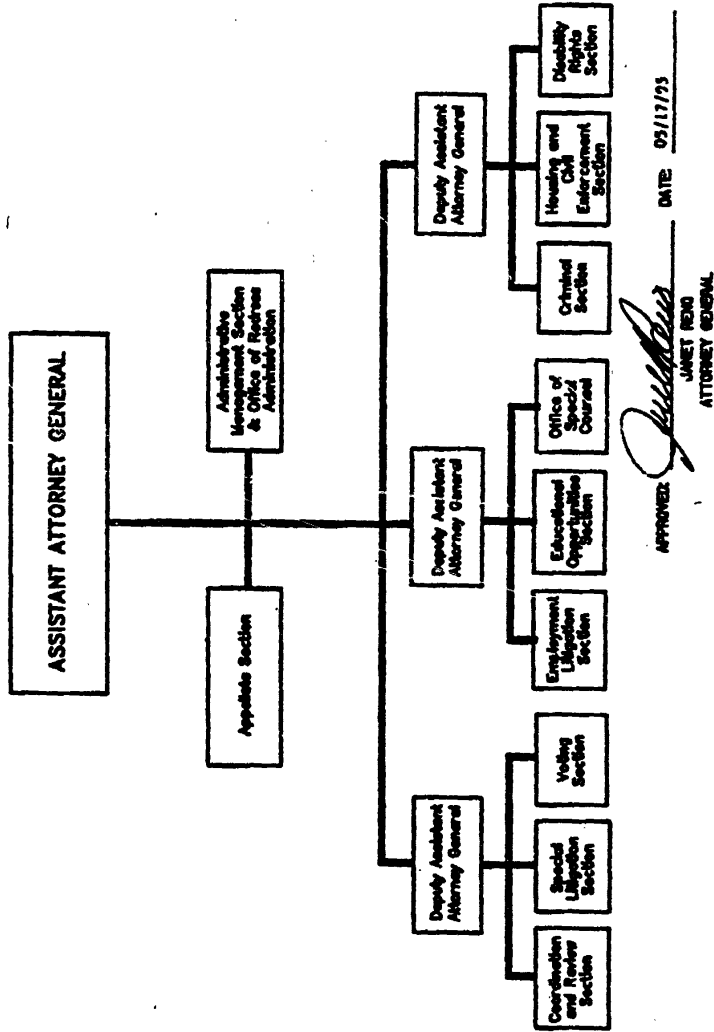
	POS	WY	BASIS RESTORATION
Total positions and annual rate
Reduction in leave
Other personnel compensation	20
Total workyears and personnel compensation
Personnel benefits	10
Travel and transportation
GSA rent	20
Comm. utilities, other charges	10
Printing	10
Other services	10
Supplies and materials	10
Equipment	15
Total program workyears and obligation changes repeated, 19%	95

Office of Legal Counsel
Salaries and Expenses - General Legal Activities
Detail of Permanent Positions by Category
Fiscal Year 1995 - 1997

Category	1995 Authorized	1996 Request	1997 Estimate
Attorneys (005)	22	22	22
Paralegal Specialists (950)	4	4	4
Secretaries	8	8	8
General Administrative, clerical & office svc. (300-399)	3	3	3
Total	37	37	37
Washington	37	37	37
Total	37	37	37

[illegible]

CIVIL RIGHTS DIVISION



**Civil Rights Division
Salaries and Expense
Comparison of 1998 Charges
(Dollars in Thousands)**

Activity/Program	1998 President's Budget Request			Congressional Appropriation Actions on 1998 Request			Workyear Adjustments			Reappropriations			1998 Appropriation Anticipated		
	Pos.	WY.	Ant.	Pos.	WY.	Ant.	WY.			Pos.	WY.	Ant.	Pos.	WY.	Ant.
7. Civil Rights	27	24	\$2,857	...	...	(\$30)	...	...	...	...	...	...	27	24	\$2,827
Federal Appellate.....	47	47	4,808	...	...	(80)	...	...	...	...	...	...	47	47	4,528
Civil Rights Prosecution.....	34	31	3,554	...	...	(83)	...	...	...	...	...	...	34	31	3,481
Special Litigation.....	82	88	8,110	...	...	(358)	...	...	...	...	...	...	82	88	7,751
Voting Rights.....	82	81	5,744	...	...	(88)	...	...	...	...	...	...	82	81	5,948
Employment Litigation.....	23	22	2,878	...	...	(37)	...	...	...	...	...	...	23	22	2,841
Coordination and Review.....	98	95	10,342	...	...	(347)	...	...	...	...	...	...	98	95	9,985
Housing and Civil Enforcement.....	30	31	2,741	...	...	(26)	...	...	...	...	...	...	30	31	2,715
Educational Opportunities.....	58	58	10,147	...	...	(853)	10	...	...	...	...	...	58	58	8,284
Disability Rights.....	29	30	5,883	...	...	(438)	...	...	...	...	...	...	29	30	5,425
Office of Special Counsel.....	88	83	8,882	...	...	(429)	...	...	...	...	...	...	88	83	8,233
Management and Administration.....	557	568	85,304	...	...	(2,756)	10	...	...	...	...	...	557	578	82,548
Total.....	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...

Congressional Appropriation Actions in 1997 Request.

This column displays reductions to base level funding required by Congress.

Workyear Adjustments.

This column reflects distribution of workyears to meet Division workload demands.

Child Rights Division
Salaries and Expenses
Summary of Requirements
(Dollars in thousands)

	Perm. Pos.	Work- Years	Amount
Adjustments to Base:			
1986 Conference Allowance	557	568	\$82,546
Adjustments in workyears	...	10	...
1986 Appropriation Anticipated	557	578	\$2,546
Increases (automatic, non-policy)	...	...	3,982
Decreases (automatic, non-policy)	...	...	(185)
1987 Base	557	579	\$8,073
Program Changes (See Program Narratives for details)	3	2	3,365
1987 Estimate	563	581	\$8,468

	1986 Appropriation Anticipated			1987 Base			1987 Estimate			Increase/Decrease		
	Pos.	WY	Amount	Pos.	WY	Amount	Pos.	WY	Amount	Pos.	WY	Amount
Estimates for budget and MC:												
Federal Appeals	27	24	\$2,827	27	24	\$3,087	27	24	\$3,235	...	...	\$168
Child Rights Prosecution	47	47	4,528	47	47	4,521	50	49	6,328	3	2	\$1,807
Special Litigation	34	31	3,491	34	31	3,729	34	31	3,917	...	...	188
Voting Rights	52	50	7,751	52	50	8,080	52	50	8,398	...	...	318
Employment Litigation	52	51	5,448	52	51	5,022	52	51	5,311	...	...	289
Coordination and Review	23	23	2,841	23	22	2,984	23	22	3,017	...	...	133
Housing and Child Enforcement	56	56	9,965	56	56	10,479	56	56	10,813	...	...	434
Educational Opportunity	30	31	2,715	30	31	2,847	30	31	3,103	...	...	188
Disability Rights	56	56	9,294	56	56	9,883	56	56	10,234	...	...	651
Office of Special Counsel	29	29	8,438	29	29	8,684	29	29	8,878	...	...	194
Management and Administration	58	58	8,233	58	53	8,787	58	53	9,134	...	...	347
Total	557	579	\$2,546	557	579	\$8,073	563	581	\$8,468	3	2	3,365

Civil Rights Division
Federal Bureau of Investigation
Department of Justice
Bureau of Investigation
Bureau of Investigation
(Dollars in thousands)

Estimate by Program	1965 As Expected			1965 Actual			1965 Appropriation Anticipated			1967 Base			1967 Estimate			Increase/Decrease		
	Permt.	NY	Amount	Permt.	NY	Amount	Permt.	NY	Amount	Permt.	NY	Amount	Permt.	NY	Amount	Permt.	NY	Amount
Federal Appellate.....	27	24	\$2,883	27	24	\$2,882	27	24	\$2,827	27	24	\$3,087	27	24	\$3,235	...	...	\$148
Civil Rights Prosecution.....	47	47	4,335	47	47	4,328	47	47	4,538	47	47	4,821	50	49	5,538	3	2	507
Special Litigation.....	34	31	3,399	34	31	3,395	34	31	3,491	34	31	3,729	34	31	3,917	...	...	198
Strong Rights Litigation.....	42	42	5,717	42	42	5,717	42	42	5,717	42	42	5,717	42	42	5,717	...	...	...
Employment Litigation.....	46	46	5,717	46	46	5,717	46	46	5,717	46	46	5,717	46	46	5,717	...	...	...
Coordination and Review.....	33	31	2,485	33	31	2,485	33	31	2,441	33	31	2,441	33	31	2,441	...	...	...
Housing and Civil Enforcement.....	100	99	9,239	100	99	9,217	98	95	9,595	98	95	10,479	98	95	10,813	...	...	434
Educational Opportunities.....	30	31	2,579	30	31	2,579	30	31	2,715	30	31	2,947	30	31	3,103	...	...	156
Disability Rights.....	43	43	9,835	43	43	9,835	43	43	9,835	43	43	9,835	43	43	9,835	...	...	...
Office of Special Counsel.....	31	32	5,896	31	32	5,892	29	30	5,425	29	30	5,894	29	30	5,878	...	...	184
Management and Administration.....	73	54	8,377	73	54	8,377	69	53	8,233	69	53	8,377	69	53	8,124	...	...	253
Total.....	559	564	62,448	559	570	62,777	557	579	62,548	557	579	63,070	559	581	66,765	...	...	\$3,595
Reimbursable Workyears.....	6	6	6	6	6	6	6	6	6	6	6	6	6	6	6	...	...	...
Total Workyears.....	565	570	62,454	565	576	62,783	563	585	62,554	563	585	63,076	565	587	66,771	...	...	...
Other workyears.....	4	4	4	4	4	4	4	4	4	4	4	4	4	4	4	...	...	...
Total compensable workyears.....	569	574	62,458	569	580	62,787	567	589	62,558	567	589	63,080	569	591	66,775	...	...	...

**Civil Rights Division
Reimburseable Resources
Summary of Reimbursements
(Dollars in thousands)**

Collections by Source	1986 Actual		1986 Estimate		1987 Request		Increase/Decrease	
	Pos.	WY	Pos.	WY	Pos.	WY	Pos.	WY
Bureau of Prisons		\$174		\$181		\$194		\$13
Immigration and Naturalization Service		163		160		210		16
Federal Bureau of Investigation		179		180		182		12
Drug Enforcement Administration		44		47		60		3
US Attorneys		17		32		34		2
US Marshal Service		61		68		73		6
Community Relations Service		1		4		4		0
US Trustee		2		3		3		0
Office of Justice Programs		1		1		2		1
Justice Management Division		18		19		21		2
Office of Inspector General		6		4		4		0
Community Oriented Policing Service		1		0		0		0
Environmental Protection Agency		74		0		0		0
Bureau of Justice Statistics		1		0		0		0
Asset Forfeiture Fund		2,712		0		0		0
Budgetary Resources	0 *	0 *	0 *	0 *	0 *	0 *	0 *	0 *
		3,473		734		797		63

*Positions and workyears cannot be isolated to individual activities and are devoted solely to support salaries and administrative costs associated with the processing of Equal Employment Opportunity complaints by the Civil Rights Division's Complaint Adjudication Office.

Note: 1986 and 1987 levels are substantially lower than reimbursements collected in 1985. This was due to one-time reimbursable funding in 1985 from the Asset Forfeiture Fund for costs associated with the Division's Geographic Information System. The 1986 actual level reflects a \$225,000 net reduction from the level reported in the Office of Management and Budget's MARS system.

**Civil Rights Division
Salaries and Expenses, General Legal Activities
Program Performance Information
Government Performance and Results Act Requirements**

Mission: To vindicate the constitutional and Federal rights of persons who have been subjected to discrimination on the basis of race, color, gender, disability, religion, familial status and national origin and, in so doing, to deter others from engaging in discrimination.

General Goals:

1. To significantly reduce police and other official criminal misconduct and to eliminate or substantially reduce violent activity by private citizens (including organized hate groups) against others because of their race, religion, national origin, or gender.
2. To prevent and eliminate systemic barriers to the full participation in the electoral process.
3. To eliminate discrimination in employment, housing opportunities and credit transactions, and educational opportunities.
4. To protect the constitutional and statutory rights of institutionalized persons.
5. To ensure that public services, programs and activities do not discriminate on the basis of disability and to ensure that public accommodations are available to persons with disability.
6. To eliminate immigration related unfair employment practices.

**Civil Rights Division
Salaries and Expenses, General Legal Activities
Justification of Program and Performance
(Dollars in Thousands)**

	Perm. Ftd.	FTE	Amount
Federal Appellate Activity			
1996 Availability	27	24	\$2,827
1997 Base	27	24	3,067
1997 Estimate	27	24	2,235
Increase/Decrease	..	..	166

BASE PROGRAM DESCRIPTION: This program has primary responsibility for handling the Division's work before the U.S. Supreme Court and the courts of appeals, and for giving legal advice to federal agencies and other organizations within the Department and the Division. This program is also responsible for reviewing appeals of decisions rendered by the Division's Office of Refugee Resettlement. The majority of the workload is focused on preparing briefs and presenting oral arguments in the courts of appeals and preparing briefs or filing in the Supreme Court and in other federal courts. The program also handles cases in which the United States participates as a party or amicus curiae. Thorough and independent examination of the entire record and the relevant legal authorities in each case is required.

During 1995, the Appellate Program filed 112 briefs and other papers of substance. Attorneys from the Program participated in 36 oral arguments. This year the Program achieved full or partial victories in 41 of 56 decisions of merit. Some of the more significant 1995 victories are as follows:

City of Edmonds v. United States, No. 94-23 (May 15, 1995). The Supreme Court ruled that local zoning rules that define the term "family" to limit the number of unrelated persons who may live together in a single-family zoning districts do not fall within the Fair Housing Act's exemption for "reasonable" family units. The Court distinguished between such zoning rules on the one hand, and provisions that cap the number of occupants per dwelling on the other, and held that the exemption applies only to the latter. The Court also found that an ordinance of the City of Edmonds, which was invoked to prohibit the operation of a group home for recovering alcoholics and drug addicts in a single-family district, was a classic example of a family definition rule, and hence was not covered by the exemption.

McKennon v. Nashville Banner Co., No. 93-1543 (January 23, 1995). The Supreme Court reversed a court of appeals judgment relying on an "after-acquired" evidence defense in an age discrimination case. The court of appeals had ruled for an employer, based on evidence about the employee's misconduct that the employer discovered after the employment decision had been made, but that provided non-discriminatory support for the employment decision under review. The Supreme Court held that while after-acquired evidence may be relevant to the extent it backs up the employer's decision to adverse an employee, it is not a defense to an age-discriminatory employment action. The Court's decision reflected the position in our amicus brief.

ACORN, et al. v. Edgar, et al., No. 95-1800 (7th Cir., June 6, 1995), and *Voting Rights Coalition v. Wilson*, No. 95-1549 (9th Cir., July 24, 1995). In the first appellate rulings on the question, the Seventh and Ninth Circuits upheld the constitutionality of the National Voter Registration Act (NVRA). Both courts held that the NVRA is authorized by Article I, Section 4 of the Constitution, which sets forth the framework for the regulation of federal election procedures. On January 22, 1996, the Supreme Court denied the State's petition for certiorari in *Wilson*.

United States v. Wilson, No. 95-1871 (7th Cir., December 29, 1995), and *United States v. Dinwiddie*, No. 95-1803 (8th Cir., February 16, 1996). In these cases, two courts of appeals upheld the constitutionality of the Freedom of Access to Clinic Entrances (FACIS) Act. In *Wilson*, the Seventh Circuit reversed the district court's dismissal of our charges against six defendants for physically obstructing the entrances of a reproductive health services clinic, holding that the FACIS Act is constitutional as a regulation of conduct that substantially affects interstate commerce. It found that Congress' conclusion that the reproductive health facilities are engaged in interstate commerce was rational. The government's burden of proof was substantially satisfied with the evidence presented. In *Dinwiddie*, the Eighth Circuit agreed that the FACIS Act is authorized by the Commerce Clause, and also held that the Act is consistent with the First Amendment.

Monas (The Citadel) v. Faulkner & United States, No. 94-1978 (4th Cir., April 13, 1995). The court of appeals affirmed a district court judgment holding that the defendants violated the Fourteenth Amendment by offering men, but not women, the benefits of a Citadel-type education. The court of appeals rejected defendants' justification, i.e., that South Carolina has a gender-neutral policy of offering educational programs based on demand. The court stated that the admissions policy is an explicit gender-based classification, and that defendants failed to present evidence to support their asserted justification for the gender classification -- the absence of demand by women for single-sex education. The court of appeals held that defendants must first show a burden on the Corps of Cadets by fall 1995 unless an alternative remedial plan is approved by the court and implemented by that time.

Casa v. Worcester County, Maryland, Nos. 95-1122 and 95-1688 (4th Cir., June 16, 1995). The court of appeals ordered the county to adopt the plaintiffs' redistricting plan for the election of county commissioners; five single-member districts, one of them having a substantial African-American majority. In so doing, the court of appeals rejected the district court's plan for a 44 percent black district for use in the primaries and cumulative voting for the general elections. We had argued as amici that the district court's 44 percent district failed to give blacks a reasonable opportunity to nominate candidates of their choice, and that the cumulative voting remedy had already been rejected by the court the first time the case was appealed.

Nationwide Mutual Ins. Co. v. Clenshaw, No. 94-1296 (6th Cir., May 1, 1995). The Sixth Circuit affirmed the district court's judgment in *Clenshaw* awarding \$1 million in punitive damages to the plaintiff for discrimination in homeowner's insurance under the Fair Housing Act. The court of appeals affirmed the district court's finding that the insurance company's regulations prohibiting insurance discrimination are entitled to judicial deference and are a reasonable construction of the Act; and, that coverage of insurance under the Fair Housing Act is not barred by the McCarran-Ferguson Act. On February 20, the Supreme Court denied *Nationwide's* petition for certiorari.

United States and Shapiro v. Cadman-Tomura, No. 94-5051 (2d Cir., March 21, 1995). In this Fair Housing Act case, plaintiff Shapiro is a woman with multiple sclerosis who needs to park in the lot in her apartment building due to her physical disabilities. The apartment building owners refused to give her a space, saying she had to get on the waiting list and wait (for several years) to get a space. The court of appeals affirmed a preliminary injunction issued by the district court requiring the owners to give her a parking space pending trial. The court of appeals upheld the district court's findings that plaintiff was a person with a disability, that the disability interferes with her ability to enjoy the use of her apartment, that the Fair Housing Act requires the apartment owners to accommodate that disability by attempting to provide parking, and that a parking space could be provided to her without inconveniencing any other resident.

In Re Grand Jury Subpoenas, Nos. 94-2034 and 94-2044 (10th Cir., Nov. 21, 1994). The court of appeals affirmed the district court's denial of a motion to quash subpoenas issued by a grand jury for statements given by police officers at an internal affairs hearing. The subpoenas were issued by a grand jury for a police officer. The officer stated that his statements were compelled by the police department's internal affairs regulations and therefore were protected from disclosure under *Garrity v. New Jersey*, 385 U.S. 493 (1967). The court of appeals agreed with our argument that *Garrity* did not prevent a grand jury from seeking internal affairs documents in order to determine whether there was information in the statement of any one officer relevant to charges which could be made against other officers, and that an individual ultimately indicted could request a hearing under *Mastigak v. United States*, 406 U.S. 441 (1972), to determine whether any information in his or her own statement had been used against them by the grand jury.

The Program also successfully defended the convictions and/or sentences of defendants in 12 criminal cases, including seven cases involving racial or ethnic violence, four cases of police misconduct, and one case of involuntary servitude. Additionally, the Program has been successful in obtaining habeas corpus relief for administrative orders in Fair Housing Act cases issued by administrative law judges at the Department of Housing and Urban Development. These cases were relatively new to the Program's usual workload.

Finally, the Program provided responses to 105 legal counsel requests from the Department and within other parts of the Division. Since 1991, 1,324 appeals from the Office of Address Administration have been received of which 1,028 have been resolved.

	Perm. For.	FTE	Amount
Civil Rights Prosecution			
1996 Availability	47	47	\$4,526
1997 Base	50	42	5,228
1997 Estimate	5	2	307
Increase/Decrease			

BASE PROGRAM DESCRIPTION: This Program is responsible for the investigation and prosecution of violations of federal criminal civil rights statutes which were designed to protect personal liberties, including:

Two statutes, passed during Reconstruction and amended in 1968, that prohibit persons from acting under color of law, or in conspiracy with others, to interfere with an individual's federally protected rights;

Criminal provisions of the Civil Rights Act of 1968, which prohibit using force or threats of force to injure or intimidate any person involved in the exercise of certain federal rights and activities;

A law which proscribes interference with persons in the exercise of their religious beliefs and the destruction of religious property where there is an interstate commerce connection;

Criminal provisions of the recently enacted Freedom of Access to Clinic Entrances Act ("FACE"), which prohibit conduct intended to injure, intimidate or interfere with persons seeking to obtain or to provide reproductive health services;

Other statutes that prohibit the holding of individuals in peonage or involuntary servitude.

During 1995, the Program received about 8,000 complaints alleging criminal interference with civil rights; approximately 2,400 required investigation by the Federal Bureau of Investigation. A substantial majority of the complaints involved allegations of official misconduct, especially allegations of physical abuse by police officers. The results of 68 investigations were presented to federal grand juries and 83 cases, half of which involved racial/religious violence, were filed charging 138 defendants, including 27 law enforcement officials. Trials were held in 24 cases, some involving multiple defendants, resulting in 32 convictions and 13 acquittals. In addition, guilty pleas from 75 defendants, in conjunction with trial convictions, resulted in an overall success rate of 89%.

Police and other official misconduct, which constitutes the majority of the complaints reviewed by the Program, continued to receive our attention in 1995. Law enforcement officials were defendants in a third of the cases filed during 1995. These officials, including police officers, prison correctional officers, U.S. Border Patrol agents, inspecting inspectors and court judges, were charged with having used their positions to deprive individuals of constitutional rights. For example, one New Orleans police officer and two other officers were charged with conspiring to murder a woman who witnessed the police officer's beating of a young man. The day after she reported the beating incident to the police department's internal affairs division, the woman was shot to death while standing on a street corner. Trial in this case, which is the first death penalty case ever prosecuted by the Program, is scheduled to begin during 1996. In New Jersey, a police officer with the Kearny Police Department was sentenced to 87 months imprisonment after being convicted of unlawfully assaulting and injuring six persons.

Incidents of racial/religious violence (also known as hate crimes), the reporting of which has increased substantially in the past several years, remained another priority area for prosecution, especially when hate groups were involved. The 42 racial/religious violence cases filed during 1995 involved crimes such as hate group rallies, bombings, arson, threats, kidnapping, sexual offenses, and murder. For example, three defendants, one of whom is a racist skinhead and a member of the white supremacist group known as the New York City Council of a civil rights conspiracy after they drove through the streets of Lubbock, Texas hunting African-American men. During them to the conspirators' car and shooting the man at close range with a short-barreled shotgun. As a result of the shootings, one victim died, one was seriously wounded in the face and another had a finger blown off. In addition, five skinheads were sentenced to terms of imprisonment ranging from 16 to 49 months for conspiracy after beating an African-American man while he and his wife, who is white, were in a public park in Iowa.

The Program is also tasked with enforcing the criminal provisions of the Freedom of Access to Clinic Entrances Act (FACCE), whereas the Special Litigation Program within the Division enforces the civil provisions. Since the enactment of the FACCE statute in May 1994, the Program has received numerous complaints of possible violations of the act, all of which have required investigation, review and response. To date, the Program has opened 134 FACCE-related investigations, 13 of which have become prosecutions. Since the charging of the first criminal FACCE case in August 1994, the conviction rate has been 100%. Four of the Program's criminal attorneys, including two senior attorneys, have devoted substantial time to investigations and cases involving the new statute.

Also, a Task Force staffed by attorneys from both the Criminal and Civil Rights Divisions was created by the Attorney General to investigate abortion violence. Two senior trial attorneys from the Program who have been devoting most of their time to FACCE enforcement also belong to that Task Force. The Task Force is working with U.S. Marshals, Agents of the Bureau on Alcohol, Tobacco and Firearms, FBI, and local police in every district investigating acts of violence in an attempt to bring those persons involved in intimidating behavior to justice. Within the next few months, the Task Force will complete its investigation and remaining investigative efforts in this area will be transferred solely to the Program.

During 1995, the Program also conducted a grand jury investigation in an involuntary servitude incident in which a native-born United States citizen was convicted of kidnapping and harboring illegal aliens in this case. High wages, good hours and freedom upon arrival in the United States enticed the victims to be transported to a work compound where they were confined and forced to work up to 20 hours a day. The victims were housed in an apartment complex in El Monte, California, enclosed by razor wire and brick fences and guarded by full-time guards. In addition, the defendants used threats against the victims and their families to force the workers to remain in the El Monte compound. Recently, eight defendants pled guilty to conspiracy, involuntary servitude and harboring illegal aliens in this case.

PROGRAM CHANGES:

	FOA	FY	Amount
Litigation Support for			
Police Brutality and Hate Crime	3	2	\$507
Enforcement.....			

The program is requesting an increase of \$276,000, three attorney positions, and two workyears in 1997. In order to provide attorneys with adequate automated litigation and technical support \$50,000 is included in this request to address increased database development and support requirements. This increase is crucial to address the continued incidence of police brutality and violent and intimidating acts of racial, ethnic and religious hatred occurring across the Nation. The effect of the increased public awareness nationwide of federal jurisdiction to prosecute incidents of police brutality as a result of a videotaped beating in Los Angeles, as well as the concomitant attention devoted to the incidence of hate crimes under reporting provisions of the Hate Crimes Statistics Act, has resulted in a continued increase in complaints received by the Program.

Whether a complaint initially comes to the attention of the program or to the FBI, all matters are reviewed by the Program. Program attorneys are required to review all investigations and recommendations which should proceed to grand jury and potentially trial. They are responsible for directing the investigation and ensuring that it is conducted by the FBI and for reviewing the results for prosecutive merit and ultimately taking them to

trial. Attorneys ordinarily handle about 160 matters each year, approximately 75 to 80 of which are pending at any one time.

The simultaneous demands of presenting new matters to grand juries for indictment, and of conducting those prosecutions once indictments are returned reduces the time available to review and to develop other incoming incidents that warrant prosecution. To be successfully prosecuted, complex and thorough grand jury investigations must be conducted. The victims of most official misconduct cases tend to be unsympathetic while the defendants are often well respected members of the community. As a result, virtually all of these cases require extensive and time consuming investigative efforts on the part of both lawyers and investigators. The number of grand jury investigations initiated last year was the second highest number of grand jury investigations ever initiated in one year and half of these investigations related to incidents of grand jury official misconduct. In addition, the program filed more cases in 1995 than in any previous year. As a result of attorney resources being stretched and developing cases for prosecution, the number of matters awaiting grand jury presentation continues to decline.

The Program also has a unique function in providing a nationwide perspective in both the areas of hate crimes and official misconduct. The Program has developed an expertise in the area of federal criminal civil rights laws that serves as an integral resource to U.S. Attorneys' offices which are expanding their participation in all types of criminal civil rights prosecutions. The demands upon the Program responsibilities -- to provide a national perspective and uniform standards for enforcement on difficult constitutional issues and cases with a high level of community interest -- are growing and mandatory.

The Program's ability to address the increasingly complex violent crimes in a timely and effective manner will be seriously impeded without the additional resources. The additional resources which the Program will be able to bring to bear under the federal criminal civil rights laws will enhance the ability of the Program to bring prosecutions under the federal criminal civil rights laws in a more timely manner and to be more responsive to the Nation's concerns in matters that receive national attention and which are fraught with strong, conflicting emotions. The Program's ability to respond as quickly as possible in initiating and carrying through these prosecutions is essential in reassuring communities that the use of excessive force by law enforcement officials and racial violence are not tolerated under federal laws.

The remaining \$221,000 increase is the Program's portion of the restoration of base resources not received in 1996 (see Multi-Activity Program Changes).

Special Litigation	Perm.	FTE	Amount
1996 Availability	14	31	\$3,491
1997 Base	14	31	3,729
1997 Estimate	14	31	3,917
Increase/Decrease	...	...	188

BASE PROGRAM DESCRIPTION: Staff in this Program protect the rights of persons confined to certain state and local residential institutions, and enforce provisions of law that prohibit discrimination in public facilities on the basis of race, religion, national origin, and disability. Primary enforcement responsibilities include:

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-- Civil Rights of Institutionalized Persons Act (CIRIPA), authorizes the Attorney General to investigate conditions of confinement at certain state and local residential institutions (jails, prisons, pretrial detention centers, juvenile facilities, and facilities for the mentally ill, developmentally disabled, and chronically ill) and, where reasonable cause exists to believe persons confined to such facilities are being deprived of their constitutional or Federal statutory rights, to initiate civil suits to ensure the protection and full enjoyment of those rights;

Freedom of Access to Clinic Entrances Act (FACCE) of 1994, authorizes the Program to investigate and, where necessary, to initiate civil litigation to obtain injunction, relief, fines, and possibly damages in cases where force, threats of physical obstruction are used to interfere with persons seeking or providing reproductive health services;

Section 210401 of the Violent Crime Control and Law Enforcement Act of 1994 authorizes the Program to investigate and, where necessary, initiate civil litigation when there is violation of constitutional and statutory rights of persons in the custody by law enforcement officials; and,

Americans With Disabilities Act of 1990 (ADA) authorizes the Program to evaluate pursuant to Title II complaints of discrimination on the basis of disability in publicly operated residential institutions and, where necessary, to initiate suits to ensure the protection and full enjoyment of federal statutory rights.

Under CIRIPA, the Program is responsible for protecting the civil rights of persons institutionalized in state or local psychiatric hospitals, nursing homes, mental retardation facilities, prisons, jails, and juvenile detention facilities. Program attorneys conduct all investigations, including post-judgment monitoring and compliance review. The Program's CIRIPA workload has traditionally focused more on negotiating settlements rather than initiating litigation.

The Program has maintained a fairly constant workload over the past decade. During 1994-1994, the Program has conducted, on average, 36 institutional investigations and 35 cases per year. However, these numbers have increased in 1995. The Program opened 37 new CIRIPA investigations in 1995 resulting in a current total of 70 open institutional investigations. Similarly, the number of cases under CIRIPA has risen to 44. These increases are directly related to the number of instances of "egregious and flagrant" conditions found in subject facilities. In 1994 and 1995, management initiatives to reduce separation techniques by concentrating on proof needed to initiate lawsuits, investigations, and streamlining litigation procedures, including all pre-judgment monitoring and compliance review, have resulted in a significant reduction in the number of investigations undertaken. All by the same number of staff as prior years. Use of preliminary injunctions early on in cases has helped to avoid protracted litigation.

In addition to its CIRIPA enforcement responsibilities, Program staff also handles the civil enforcement of FACCE. In the first year of enforcement, Program attorneys have filed nine FACCE cases and evaluated approximately 75 complaints of denial of access to facilities offering reproductive health services. In view of the sensitivity of this issue and the potential for violence which exists at certain clinics, this workload will continue to require immediate response by Program staff.

Program responsibility under Section 210401 requires Program staff to review complaints of misconduct by law enforcement officials and determine whether a pattern or practice of such activity exists. Where necessary, the Program is authorized to file civil suit to obtain relief from such practices. This statute covers a variety of concerns about police misconduct including excessive force, failure of departments to investigate and discipline officers accused of misconduct, harassment of citizens, excessive use of force, and excessive use of force and retaliation for the exercise of rights. In 1993, the first year after passage, the Program has evaluated complaints from 20 jurisdictions and initiated two investigations.

The Program is also assigned enforcement responsibility for Title II of ADA including individual complaints from jails and prisons as well as pattern or practice complaints regarding activities in publicly operated residential institutions. During the first year of Title II enforcement responsibility, 100 matters were referred for review.

The priorities of the Program are to address the most dangerous conditions in publicly operated facilities pursuant to the Civil Rights of Institutionalized Persons Act (CIRIPA), to aggressively enforce the Freedom of Access to Clinic Entrances Act (FACCE), and the Police Misconduct provision of the 1994 Crime Bill. As further activities are generated by additional focus on PACF and the Police Misconduct provision of the 1994 Crime Bill, the Program will shift away from CIRIPA enforcement. With the Program's new focus on PACF and the Police Misconduct provision of the 1994 Crime Bill, the Program has been given responsibility of enforcement of Title II of the American with Disabilities Act (Prisoners Complaints) requiring some resources to be devoted to these complaints.

Activities pursuant to CIRIPA will be maintained to the maximum feasible extent as resources are shifted to maintain current PACF enforcement activities and further efforts are extended to enforce the Police Misconduct statute--activities which have remained in the formative stages to date.

During the present year, there have been significant accomplishments. Major enforcement actions, including new cases, have been filed pursuant to CIRIPA and the first significant contempt findings in the history of CIRIPA have been achieved. Indeed, contempt motions were filed in four cases. In addition, creative enforcement devices have been employed to facilitate compliance with outstanding decrees. In five cases, monitors or special masters have been appointed pursuant to our requests. As well, new actions, E.G., D.C. Village and Montana State Prison, have been initiated.

New policies have been fully implemented, including the use of federal statutes, E.G., the Americans with Disabilities Act, to foster community placement of mentally disabled persons. Enforcement actions and new cases have reflected new policies recognizing the rights of mentally disabled persons to grow, develop, and to exercise independence. In this vein, we have undertaken to foster the development of community placements for individuals identified by state professionals as in need of such services.

Numerous investigations identifying serious constitutional violations--especially in jails--have been resolved by consent decrees. Moreover, a record number of investigations were initiated. By increasing activities in the area of juveniles, prisons, and jails, the Program has brought new balance to the docket and reflected new priorities.

The refocus of greater numbers of Program personnel to new areas will permit the gradual development of additional enforcement activities in each of the new areas. PACF initiatives will be maintained to reflect the Administration's current priority of combatting abortion clinic violence.

Coordinated activities during the past year produced the very first civil FACS cases brought by the United States, the first civil FACS case brought with a state Attorney General, the first intervention into a private FACS case by the Department, and the first FACS case against an Operation Rescue-Operation Rescue of California.

Nine FACS complaints have now been filed. These civil FACS actions have produced significant victories. The cases have produced a remarkable number of injunctions which both prohibit further unlawful activity as well as define the parameters of injunctive relief. Orders define the extent of prohibited conduct. Necessary resources will be devoted to continuing these activities.

The number of police misconduct or Section 210401 investigations will mount. Program personnel will conduct most aspects of most investigations and all cases. Additionally, Program personnel will perform the administrative and law enforcement responsibilities established by Federal regulation with respect to all prisoners Title II ADA complaints absent any provision for an administrative structure, investigators, or other resources. Complaints from facilities receiving federal financial assistance will be referred to the Office of Justice Programs.

	Perm.	FTE	Amount
Voting			
1997 Availability	82	86	\$7,781
1997 Budget	82	86	8,000
1997 Estimate	82	86	8,320
Increase/Decrease	...	...	318

BASE PROGRAM DESCRIPTION: Program staff enforce laws designed to safeguard the right to vote of racial and language minorities and members of other specially affected groups and designed to remove barriers to voter registration. Enforcement responsibilities include:

Voting Rights Act (VRA) of 1965, which safeguards the right to vote of racial and language minorities. In particular, the Act: prohibits practices that have a discriminatory result; requires federal preclearance of voting changes from specially covered jurisdictions to prevent discrimination; requires the use of minority languages in the electoral process in certain areas;

National Voter Registration Act (NVRA), which facilitates voter registration for federal elections by allowing voters to register by mail, when they obtain drivers' licenses or when they obtain services from various government agencies, and permits voter purges only under very controlled conditions;

Uniformed and Overseas Citizens Absentee Voting Act, which provides a remedy for the late mailing of absentee ballots to members of the Armed Forces and to other citizens who are abroad.

The Program has continued its efforts to assure that minority voters have a fair opportunity to elect candidates of their choice and to defend from unfair attack redistricting plans that provide such an opportunity. Thirteen of the 22 new lawsuits in 1995 involved this issue, as did 32 of the 43 lawsuits brought in earlier years that the Program continued to litigate. In addition, of the 33 Section 5 objections in 1995, 44 involved voting

changes that adversely affected the opportunity of minority voters to elect candidates of their choice. This area of the law remains unsettled, and difficult issues of policy and litigation strategy abound. In June 1995, in *Johnson v. Miller*, the Supreme Court held that Georgia's use of race while subordinating other traditional redistricting criteria in the drawing of its congressional redistricting plan was unjustified and violates the Equal Protection Clause. Also, in Section 5 declaratory judgment actions involving the election of judges, the United States District Court for the District of Columbia disagreed with positions the Program advanced regarding the application of Section 5. These decisions have resulted in further litigation concerning the legal standards under the Voting Rights Act and the Constitution, and our continued active participation to assure that minority voting rights are not compromised is essential.

The need for the Program to participate in the redistricting cases inspired by Shaw and Miller, to safeguard the rights that have been won over the past thirty years and to help the courts resolve difficult issues of law and policy, limits the Program's ability to participate in other litigation. Shaw-type cases are complex and often difficult, and large investments of staff resources are required even in those cases where we are able to avoid lengthy discovery and trials.

The Program is responsible for reviewing the thousands of voting changes submitted to the Attorney General under Section 5, for defending Section 5 litigation in court, and for bringing lawsuits to enjoin the enforcement of voting changes that have not received the required Section 5 preclearance. The Attorney General during 1995 and the first five months of 1996, objected to a wide variety of discriminatory changes, from annexations that dilute minority voting strength, to special elections with inadequate Spanish language procedures, to dual office holding prohibitions, to county redistricting plans, to discriminatory VNA implementation procedures, to dual district court redistricting guidelines. Also during this period, the Program defended 12 Section 5 declaratory judgment actions and litigation. Also during this period, the Shaw and Miller decisions and the Supreme Court's restrictive decisions of the D.C. court have increased jurisdictional uncertainty regarding the propriety of such actions. If such actions are not brought, and this increase could well continue, the threat of such actions is a nondiscretionary responsibility of the Attorney General. These actions, like the Shaw-type actions brought by private parties, are complex and demanding. In addition, the Miller decision has increased the difficulty of the legal and factual analysis of redistricting and related changes, and has led to an increase in requests for reconsideration of past objections.

When the National Voter Registration Act (NVRA) went into effect on January 1, 1995, the Program was prepared to assure nationwide compliance and, during the year, the Program filed lawsuits against California, Illinois, Pennsylvania, South Carolina, Michigan, Mississippi, and Virginia. The courts have been unanimous in upholding the constitutionality of the NVRA and in requiring the states to comply.

The Program continues to bring lawsuits against jurisdictions that violate the minority language provisions of the Voting Rights Act, which enable minority language voters to participate effectively in the electoral process by requiring jurisdictions to use Chinese, Navajo, Spanish and other languages. Most recently, in January 1996, a federal district court remedied Alameda County, California's inadequate Chinese language election procedures by approving a consent decree, filed with our complaint in April 1995, that provides a Chinese language election information program for the county, and remedies the county's failure to employ Chinese Americans in the county clerk's office and as poll workers. The Program, in addition, has continued to monitor earlier consent decrees providing minority language election information programs to benefit Native American voters in counties in Arizona, New Mexico, and Utah.

During 1997, the Program will give priority to the following enforcement areas:

Defense of racially fair redistricting plans. The Program will continue to defend from unjustified attack redistricting plans designed to provide minority voters fair opportunities to elect candidates of their choice and will endeavor to achieve racially fair results where courts find, following *Shaw v. Reno* and *Johnson v. Miller*, that redistricting plans constitute unconstitutional racial gerrymanders. The Supreme Court's recent *Miller* decision has already led to more litigation in which we will be directly involved or in which the lower courts will need our guidance.

Enforcement of prohibition of Section 2 of the VRA against practices with a discriminatory result. The Program will continue to uncover and remedy methods of election, anywhere in the nation, that prevent blacks, Hispanics, and other minorities from having a fair opportunity to elect candidates of their choice. The Supreme Court's *Miller* decision makes our efforts in this area more difficult but also more urgent.

Enforcement of Section 5 of the VRA. The Program will continue to review thousands of voting changes submitted under Section 5 and object to those found to be discriminatory, to bring enforcement lawsuits against jurisdictions using voting practices or procedures to which Section 5 objections have been interposed or for which the jurisdictions have not sought needed Section 5 preclearance, and to defend Section 5 declaratory judgment actions. The Supreme Court's *Miller* decision and the recent restrictive decisions of the D.C. court make our efforts in this area more difficult but also more urgent.

Enforcement of the VRA. The resolution of our initial VRA litigation has made clear the authority of Congress to enact the VRA, and the Program will continue to seek judicial relief against states that resist fully enacting the VRA. All jurisdictions are urged to bring their election laws into the most optimistic traditions of the VRA, and we must continue to bring suit against jurisdictions that resist. Because of the complexities of the VRA and the legal issues that will arise with respect to the VRA and its relationship to state law and the VRA, we expect to remain heavily involved in VRA litigation through 1997 and beyond.

Enforcement of the minority language requirements of the VRA. The Program will continue to investigate covered jurisdictions and will bring lawsuits where necessary to assure that minority language United States citizens who rely on Spanish, Chinese and other Asian languages, and American Indian and Native Alaskan languages have the same opportunity to participate in voting-related activities as English-speaking voters. The 1991 extension and expansion of the minority language requirements through the enactment of the Voting Rights Language Assistance Act of 1992 reflects a renewed congressional mandate in this area, which we will continue to fulfill.

Prevention of vote fraud and voter intimidation and harassment. Through litigation and the use of federal observers the Program will continue to seek to protect minority voters from fraud, intimidation, and harassment.

The Program's overall enforcement of the VRA in other areas will continue in 1997 as well. The Program, for example, will continue to send federal observers to monitor elections where needed to protect minority voters;

file lawsuits to remedy election day discrimination, based on information obtained from federal observers or on information from other investigations; and, file lawsuits under the Uniform and Overseas Citizens Absentee Voting Act to remedy the late mailing of ballots to overseas voters.

In short, the Voting Program has a crucial role in our society in assuring that the cornerstones of our democracy -- the right to vote -- is made available to all citizens, regardless of race, color, language, literacy, or other irrelevant factors.

	Perm. Ftd.	FTE Ftd.	Amount
Employment Litigation			
1986 Availability	62	61	\$5,449
1987 Base	62	61	6,022
1987 Estimate	62	61	6,311
Increase/Decrease	...	...	289

RACE PROGRAM DESCRIPTION: The Employment Litigation Program enforces against state and local government employers the provisions of:

Title VII of the Civil Rights Act of 1964, as amended by the Equal Employment Opportunity Act of 1972; the Pregnancy Discrimination Act of 1978; and, the Civil Rights Act of 1991, and,

other federal laws, orders and regulations prohibiting employment practices that discriminate on grounds of race, sex, religion, and national origin.

The Program also represents other federal agencies which are sued in relation to their enforcement of federal affirmative action programs and equal employment opportunity laws and regulations.

From 1990 through 1995, the Program has filed an average of 19 cases per year and annually has settled an equal number. Of these cases, 10 resulted from Equal Employment Opportunity Commission (EEOC) referrals and 11 were based on the Attorney General's self-starting pattern or practice authority. Twelve of the 30 cases resulting from the EEOC referrals, and 10 of the cases based on the Attorney General's self-starting pattern or practice authority, have resulted in settlements. Since the beginning of 1995, the Program has represented the United States and its agencies in 27 federal affirmative action challenges to federal affirmative action requirements. These cases are in addition to several ongoing pieces of defensive litigation that are in progress.

The Program's pattern or practice litigation often results in systemic changes to defendants' employment practices and serves as a signal to other employers to review voluntarily their practices to determine compliance with Title VII. Importantly, this litigation provides substantial make-whole relief, in the form of back pay, jobs, pensions and seniority, to large numbers of victims of discrimination. Under this authority, the Program has challenged, for example:

- *the residency requirements of 35 suburban communities that had the purpose or effect of excluding minorities who lived in nearby cities with large minority populations;
- *the hiring and/or testing practices of state and local police and fire departments as being not job-related and consistent with business necessity and discriminatory against minorities and/or females;

- the hiring and assignment practices of state and county penal institutions that discriminate against female applicants for correction officer positions and female incumbent employees in assignment and promotion practices;
- the ineffective and inadequate handling of sexual and racial harassment complaints by a state and local employers;
- gender segregation and discrimination in pay against women in non-traditional public service jobs; and,
- discrimination in pay and benefits against ethnic minorities.

Because pattern or practice cases frequently affect the rights of hundreds of victims, a great deal of attention is given to the hiring and assignment practices of state and county penal institutions that discriminate against female applicants for correction officer positions and female incumbent employees in assignment and promotion practices. The Program frequently obtains jobs with restrictive seniority for victims of hiring and promotion discrimination. Consistent with this effort, as of October 1993 the Program is in the process of distributing:

- \$7.125 million to an estimated 1,500 black and female victims in litigation that challenged state-administered selection procedures for municipal police, sheriff's officer and correction officer positions throughout New Jersey and gender-restrictive hiring practices in the state's corrections system;
- \$276,000 to a yet to be determined number of female victims denied employment as police officers by the Palm Beach Gardens, Florida, Police Department;
- \$700,000 in back pay and pension relief to a yet to be determined number of blacks and females who were discriminated against by the City of Belleville, Illinois;
- \$430,000 in back pay and other relief to 139 black applicants who unlawfully had been denied employment as police officers and fire fighters by the City of Miami, Florida; and,
- \$2.2 million in back pay and other relief to 170 Filipino teachers who had been discriminated against by the Public School System of the Northern Mariana Islands on the basis of national origin in salaries, benefits and terms of conditions of employment.

The Program is also involved in contested Stage II proceedings against the New Orleans Parish Sheriff's Department. We anticipate obtaining relief for approximately 150 female victims of hiring discrimination whose combined monetary entitlement is in excess of \$10 million.

In addition, the Program devotes substantial resources to monitoring compliance with over 100 court orders or practice decrees, seeking supplemental relief or orders to enforce, and, where necessary, defending third party challenges to their efficacy and lawfulness.

The Program also enforces Title VII by filing suits based upon individual charges of discrimination referred to the Department of Justice by the EEOC. Charges are filed with the EEOC by individuals who believe that they were unlawfully denied employment opportunity or otherwise discriminated against by a state or local government employer. If, after investigation, the EEOC determines that a charge has merit and efforts to obtain voluntary

compliance are unsuccessful, the EEOC may refer it to this Department. The Department of Justice then has authority to determine whether or not to initiate litigation. While small in scope when compared to pattern or practice suits, these are cases that might not be pursued without the Program's participation and they often address types of discrimination that may not be remediable through pattern or practice suits.

Suits initiated under this authority have involved, for example, allegations of harassment, retaliation, involuntary reassignment, failure to promote, discrimination on the basis of pregnancy or religion and unlawful discharge. In these cases the Program has recently obtained:

- * reinstatement and \$45,000 in backpay and attorney's fees for a female victim of sexual harassment by a state department of corrections;
- * promotion as the first female ferry boat operator, retroactive seniority relief and \$7,500 in backpay to a female employee who unlawfully had been denied the position;
- * \$210,000 in backpay, pension and retroactive seniority relief, and reinstatement to three individuals who had been fired as firefighters when a fire department failed and refused reasonably to accommodate their religious beliefs;
- * \$146,000 in backpay and compensatory damages to a female employee who had been retaliated against because she opposed practices that she reasonably believed to be violations of Title VII;
- * \$136,000 in backpay and reinstatement to a corrections officer who had been discharged when the employer failed reasonably to accommodate her religious beliefs; and,
- * \$125,000 to eight black employees who were denied promotional positions because of a selection procedure that discriminated against blacks and was not job related and consistent with business necessity.

The Program issues letters of right-to-sue to individuals who have filed charges of employment discrimination under Title VII and Title I of the ADA against state or local government employers with the EEOC. The number of requests for right-to-sue letters has increased from approximately 2,700 in 1993 to more than 4,600 in 1995.

The Program is responsible for representing federal agencies in litigation that challenges the lawfulness of their affirmative action programs. The Supreme Court's recent decision in *Adarand Constructors, Inc. v. Peña*, 115 S.Ct. 2097 (1995) establishes a new standard by which the lawfulness of Congressionally authorized programs that provide a racial preference are to be evaluated. Approximately 21 lawsuits that raise Adarand issues are being defended by the Program. The Program has had to devote considerable resources to this aspect of its program, which has detracted from its ability to initiate Title VII litigation. The federal agencies involved in this litigation are: the Departments of Defense, Transportation and Commerce, the Small Business Administration, the Environmental Protection Agency and the National Science Foundation. The Program also is responsible for representing the Department of Labor in challenges to its authority to enforce effectively Executive Order 11246, Section 803 of the Rehabilitation Act of 1973, and the Vietnam Era Veterans Readjustment Assistance Act of 1974. There are currently six such cases.

In 1994 and 1997, the Program will continue to review referrals of individual charges from the EEOC for litigation and, where the Assistant Attorney General so authorizes, initiate litigation based upon patterns or practices of discrimination. The Program will also, to the extent resources permit,

- *seek to identify patterns or practices of illegal discrimination against minorities and women in the selection, assignment and promotion of elementary and secondary school teachers, staff and administrators;
- *seek to identify patterns or practices of illegal discrimination against minorities and women in government facilities or agencies that deal with the public, such as public utilities and mass transportation systems; and,
- *seek to identify illegal discrimination against minorities and women in mid- and upper-level promotions and other glass ceiling issues in public safety, transportation and public utilities industries, among others.

The Program will continue to enforce its extant court orders, pursue investigations already underway, initiate suits based upon individual charges referred, prosecute on-going litigation, and defend federal agencies that may be sued in federal court for enforcement of civil rights laws.

Coordination and Review	Perm.	FTE	Amount
1996 Availability	23	22	\$2,641
1997 Base	23	22	2,644
1997 Estimate	23	22	2,017
Increase/Decrease	..	..	133

NOTE: In a March 1996 reorganization of the Civil Rights Division, the Coordination and Review Program's (CWR) activities were reformed on reorganizing the enforcement of Title VI and Title IX (see below). Both government-wide and in the Department of Justice's (DOJ) own federally assisted programs. CWR's disability-related coordination and enforcement responsibilities under section 504 of the Rehabilitation Act and Title II of the Americans with Disabilities Act, and ten positions, were transferred to the Disability Rights Program (previously the Public Access Program).

BASE PROGRAM DESCRIPTION: Under Executive Order 12590, CWR coordinates the enforcement by Federal agencies of the following statutes covering programs of Federal financial assistance: Title VI of the Civil Rights Act of 1964, which prohibits discrimination based on race, color, or national origin; Title IX of the Education Amendments of 1972, which prohibits discrimination on the basis of sex in education programs; and the nondiscrimination provisions of more than 40 program-specific statutes, which variously prohibit discrimination on the basis of race, color, national origin, sex, or religion.

CWR also conducts compliance reviews and investigates complaints of discrimination in services on the basis of race, color, national origin, sex, religion, or age against DOJ recipients. These functions are undertaken in accordance with the funding agreement signed on July 17, 1993 with the Office of Justice Programs, the Department's largest provider of Federal financial assistance.

Since the reorganization, CWR has undertaken extensive outreach, technical assistance, and program development activities aimed at Federal agencies (including DOJ funding components) and their beneficiaries and recipients of financial assistance, to revitalize the enforcement of Title VI and related statutes.

COG will provide guidance to agencies in 1977 on how to apportion compliance responsibilities and functions in new black grant programs. COG will review its previous guidance in light of the new agreement, assess the performance of existing agreements, and broker the negotiation of new agreements for programs and agencies where appropriate.

COR will evaluate and monitor Federal agencies' enforcement of Title VI and related statutes in 1997. It will review workload and performance data, plans, and progress reports that will be submitted in response to the reporting requirements that were revised and streamlined in 1996. The Program will also conduct an "inter-agency review", a focused assessment of an individual agency's compliance program, and provide follow-up technical assistance to address identified needs, findings, and recommendations.

In 1997, COR will investigate the increasing numbers of complaints of discrimination filed against DOJ recipients that are expected as a result of outreach activities undertaken in 1996. COR also will identify, undertake, and complete one Title VI services compliance review. It also anticipates that the number of investigation and compliance review activities will be increased and that the number of cases referred to the police misconduct initiatives developed by the DOJ task force in 1996 are implemented.

	Perm.	FTE	Amount
Housing and Civil Enforcement			
1996 Availability	98	98	\$9,998
1997 Base	98	98	10,479
1997 Estimate	28	28	28,922
Increase/Decrease	...	...	434

FAIR HOUSING ENFORCEMENT: The Program staff enforce Federal statutes prohibiting discrimination in housing, consumer credit, and public accommodations. Enforcement responsibility in this area includes:

-- The Fair Housing Act of 1968, as amended by the Fair Housing Amendments Act of 1988. The 1968 Act prohibited discrimination in housing on the basis of race, color, religion and national origin. In 1974 this was amended to add sex as a protected class, and the Fair Housing Amendments Act of 1988 further added disability and familial status as protected classes. The 1988 Amendments Act also substantially expanded the Program's enforcement authority to combat housing discrimination by enabling it for the first time (1) to initiate cases, after referral from the Department of Housing and Urban Development (HUD) on behalf of individuals who have been discriminated against; and (2) to seek both actual and punitive damages for aggrieved individuals in both the HUD referred cases as well as in the pattern or practice cases the Program has had authority to bring since 1968, as well as civil penalties of up to \$50,000 per defendant in the pattern or practice cases.

-- The Equal Credit Opportunity Act, which prohibits discrimination on the basis of race, color, religion, national origin, sex, marital status, age, or on the basis that an applicant's income is from public assistance, in all credit transactions; and

-- Title II of the Civil Rights Act of 1964 which prohibits discrimination on the basis of race, color, religion or national origin in certain public accommodations, such as restaurants, hotels and motels, and places of entertainment.

Most of the Program's enforcement activity focuses on enforcement of the Fair Housing Act. After the 1988 amendments to the Act, which became effective in 1989, enforcement activity increased dramatically. In 1994, the total number of case filings reached a record 194, an extraordinary ten times the number of cases filed in 1986, prior to the Amendments when the Program typically initiated 20-25 case filings, of which 15-20 were filed

pursuant to the Fair Housing Act. In 1993, the number of case filings were 133. This level of filings was lower than initially projected for the reasons discussed below, but remains well above the number of cases brought in years before 1994.

A major proportion of the increased enforcement activity since 1989 was the result of referrals required by the 1988 Amendments of cases involving individual cases of discrimination from the Department of Housing and Urban Development (HUD) which require case filings by the Program -- known as election cases because the Act permits parties to such HUD proceedings to elect to have HUD findings of reasonable cause litigated in Federal court. Like the total number of case filings, the number of these non-discretionary case filings increased dramatically since 1989 -- increasing from 21 such filings in 1990 (the first full year of implementation of the amended Act) to 415 filings in 1994. There were 112 filings in 1993 and 127 in 1994. The increase in these filings is expected to continue because of the increased number of complaints of discrimination received by HUD, and because of the increased number of complaints of discrimination received by HUD, and because of the increased number of complaints of discrimination received by HUD, and because of the increased number of complaints of discrimination received by HUD.

It is hard to predict with precision the level of future referrals from HUD, but we expect it to remain below 1994 levels (145) and closer to the 1993 level (93).

The Program also has had discretionary authority since 1968 to bring broader, higher-impact cases when the Attorney General determines there is reasonable cause to believe that persons have engaged in a pattern or practice of illegal discrimination or have denied a group of persons rights guaranteed under the Act and such denial raises an issue of general public importance. In addition, the amended Act requires HUD to refer cases involving alleged discrimination in housing and land use decisions to the Program which then has discretion as to whether or not to initiate a lawsuit. Because of their broader impact and the independent authority conferred on the Attorney General, the discretionary pattern or practice case filings are the most important cases that the Program brings.

In recent years, many cases in this discretionary category have been developed as the result of the following important initiatives: (1) the fair housing testing initiative, established in 1992 to increase the ability of the Program to combat discrimination in all parts of the country, especially race and national origin discrimination; (2) the fair lending program, designed to combat discrimination in lending, especially mortgage lending (since initiating this program, the Program has received an increase in referrals of matters from bank regulatory agencies which also have responsibility for enforcing the fair lending laws); and, (3) property insurance discrimination.

The testing program has generated close to 30 pattern or practice cases since being created, proving to be a very cost-effective enforcement tool. The Program employs fair housing testing coordinators who plan such investigations and have the intent to test or buy a dwelling or purchase a property for the purpose of collecting evidence concerning whether or not unlawful housing discrimination is occurring. Since the passage of the Fair Housing Act in 1968, fair housing testing has been a primary tool for gathering evidence of housing discrimination.

From 1989 thru 1994 the Program's resources, even though increasing significantly, were directed primarily to the dramatic increase in case filings required by the referral of non-discretionary cases from HUD, cases which required court filings. Because of the burdens imposed by this new responsibility, the number of the higher-impact pattern or practice case filings remained about the same as it had been in the pre-1988 Amendments Act period, and even dropped somewhat between 1989 and 1993. However, the new initiatives in testing and fair lending resulted in significant increases in such case filings in 1993.

While further progress in the number of pattern or practice case filings was realized in 1994, there was a reduction in such filings in 1995. This was due in large part to the substantially higher than expected number of pending cases that had to be fully litigated and tried in 1995, thus limiting the resources available to develop new discretionary filings. The Program tried 17 cases in 1995, double our normal number of trials. Moreover, other cases required substantial resources to litigate which settled before trial. Moreover, the Program has been cognizant of the fact that the pattern or practice investigations and cases that drive the program have become more complex in nature. The Program has been successful in the past in identifying and properly litigating cases that have come from the Program's testing program. However, the cases coming from the Program's testing program have required far greater resources to litigate than the first program.

In 1996 and 1997, the Program is projecting an increase in the discretionary pattern or practice case filings. This is in large part because, starting in 1994, the Attorney General directed local U.S. Attorney offices to assume some of the responsibility for litigating fair housing cases to help alleviate the burden the Program had of handling the high numbers of non-discretionary case filings required by referrals from HUD. It is expected that in 1996 and 1997 this will permit the Program to devote more of its resources to the development and litigation of the more complex pattern or practice cases and other discretionary filings.

There were several very significant achievements in 1998. A record amount of monetary relief -- over \$24 million -- was obtained in the 122 cases resolved by settlement or court decision. Especially notable were consent decrees settling two of our cases -- one involving mortgage lending and the other insurance redlining. The latter case, involving the American Insurance Company, National, the largest insurance company in the country, resulted in monetary relief of \$15.5 million. Another case, involving the American Trucking Association, resulted in monetary relief of \$799,000 for victims of discrimination. There were also several significant awards in fair housing cases. For example, in a case alleging familial status discrimination against the operator of several mobile home parks in California and Washington, a consent decree awarding \$2.2 million was entered. In a case alleging race discrimination at a large apartment complex in south Florida, a consent decree awarding monetary relief of \$1.2 million was approved by the court, and, in a case which was brought as a result of the program's fair housing testing program in the Detroit area, a settlement totaling \$425,000 was approved by the court.

	Perm. Fos.	FTE	Amount
Educational Opportunities			
1996 Availability	30	31	\$2,715
1997 Base	30	31	2,947
1997 Estimate	30	31	3,103
Increase/Decrease	..	..	156

BRIEF PROGRAM DESCRIPTION: The Educational Opportunities Program enforces Federal statutes which prohibit discrimination in public elementary and secondary schools and public colleges and universities. Program enforcement responsibilities include:

Article IV of the Civil Rights Act of 1964, which provides that the Attorney General may initiate legal proceedings to further orderly desegregation (1) upon receiving a complaint from a parent that his or her

minor children are denied equal protection of the law by public school officials; and, (ii) with respect to public institutions of higher learning, upon receiving a written complaint alleging that a student has been denied admission to or the opportunity to continue in attendance at a public college or university on account of the student's race, sex, national origin, color, religion;

Equal Educational Opportunities Act of 1974, which prohibits school officials from denying students equal educational opportunities (including students who may face language barriers) on account of race, color, national origin;

Section 504 of the Rehabilitation Act of 1973 and Title IX of the Americans with Disabilities Act, which require that public school officials provide handicapped and disabled students appropriate educational opportunities, upon receiving a proper referral from the U.S. Department of Education, Office for Civil Rights (OCR);

Title VI of the Civil Rights Act of 1964, which prohibits public school districts that receive federal funds from discriminating on the basis of race or national origin in a program or activity, upon receiving a proper referral from OCR; and,

Title IX of the Education Amendments of 1972, which prohibits school districts that receive federal funds from discriminating on the basis of gender, upon receiving a proper referral from OCR.

The Program is also authorized to (i) intervene in private suits alleging the denial of equal protection of the law based on race, sex, national origin, color, or religion which the Attorney General determines raise issues of public importance; and (ii) represent the U. S. Department of Education when the Secretary is sued by public school districts, colleges, or universities against whom OCR may take enforcement action under one of its statutes.

The Program continues to maintain a large non-discretionary workload. In addition to actively monitoring and responding to complaints which require its immediate attention in several hundred elementary and secondary school districts, the Program devotes substantial staff time to several high profile, complex, statewide higher education cases which remain active. In 1995, Program attorneys conducted discovery and prepared a higher education case against Alabama for further trial (Alabama III), conducted discovery and negotiated a major settlement in a portion of a Louisiana case (Louisiana III), engaged in post-trial hearings and brief submission in Mississippi (Mississippi II), and engaged in extensive discovery concerning a Tennessee case (Tennessee III). In the area of sex discrimination, the Program is handling two high profile suits involving discriminatory admissions in Virginia (Virginia Military Institute) (VI II) and South Carolina (The Citadel). These cases involving higher education will continue to require substantial program resources until appropriate remedial measures are finally approved by the courts and successfully implemented.

In 1996 and 1997, the Program expects to focus a significant amount of its resources on systematically reviewing the 400-plus court ordered school districts on the active case docket. The purpose of this project is to seek compliance of those school districts that are in violation of their extant desegregation orders and to administratively close those districts that are in compliance, thus, removing them from our active case docket. This will involve reviewing hundreds, and in some cases, thousands of documents, contacting various community groups and visiting many of the districts. It is anticipated that such activity will increase the number of

complaints from citizen and community groups, as well as prompt a number of districts to seek partial or full termination of their court orders. The latter actions will require more comprehensive investigations and may require an examination of data in six or more relevant compliance areas covering a period of many years.

In addition to this enforcement effort, the Program will give priority attention to focusing on violations that deny (1) educational quality, ability, and opportunity to students, and (2) the examination of differences in minority students' individual schools within school districts' review of student placement procedures, including tracking and ability grouping, and examination of student achievement data such as test scores for the hundreds, and in some cases, thousands of students in the affected school districts.

	Perf.	Est.	Actual
Disability Rights			
1986 Availability	56	59	\$9,294
1987 Base	56	59	5,543
1987 Estimate	56	59	10,233
Increase/Decrease	...	...	611

BASE PROGRAM DESCRIPTION: This Program carries out a multi-faceted approach toward achieving compliance with the Americans with Disabilities Act (ADA). The Program's enforcement, certification, regulatory, coordination, and technical assistance activities, required by the ADA, combined with an innovative radiation program and a technical assistance grant program, provide a cost-effective and dynamic approach for carrying out the ADA's mandates. The Program also carries out responsibilities under Executive Order 12250. Program activities affect 6 million businesses and non-profit agencies, 80,000 units of state and local government, 49 million people with disabilities, and over 100 other federal agencies and commissions in the Executive Branch.

The Program implements the Department of Justice's enforcement responsibilities under Titles I, II, and III of the ADA. Title I, the program's most significant activity with authority to initiate litigation against state and local governments, is carried out by the Department's seven regional offices. Title II, the program's administrative enforcement by seven other agencies and for the Department's own complaint investigation and compliance review functions. The Program initiates litigation under Title II that arises from its own investigations and upon referral from the other seven agencies. Under Title III, the Program investigates complaints of discrimination in public accommodations and commercial facilities and initiates litigation where there is a pattern or practice of discrimination or discrimination involving an issue of general public importance.

In order to reduce reliance on litigation as an enforcement tool, the Program also funds two pilot projects to facilitate the use of mediation to settle ADA disputes. Through its technical assistance grant program, the Program awarded grants to train professional and volunteer mediators in 15 cities. Complaints are now being referred to mediators to attempt resolution without litigation.

The Program, pursuant to Section 106 of the ADA, responds to requests from state and local jurisdictions seeking certification that their building codes meet or exceed ADA accessibility requirements. Certification preserves the traditional role of state and local officials in the implementation of building-related regulations, while

¹ Departments of Agriculture, Education, Health and Human Services, Housing and Urban Development, Interior, Labor, and Transportation.

at the same time furthering the Federal objective of ensuring uniform levels of accessibility for citizens with disabilities throughout the United States. The Program conducts a detailed analysis of each submitted code and provides extensive technical assistance to code officials developing AHA-equivalent codes. Prior to issuing a final certification determination, the Program provides public notice and conducts public hearings on its proposed certification. In addition, the Program responds to requests from private sector organizations that are revising or developing model accessibility codes or consensus standards. Based on AHA requirements, the Program reviews model codes, following a procedure analogous to the formal certification review, and provides extensive technical assistance to enable code officials to determine if the model code is, in fact, equivalent to the AHA.

The Program develops regulations to implement Titles II and III of the ADA. This activity includes participating in the development of the ADA Accessibility Guidelines, which form the basis for the Department's ADA Standards for Accessible Design, and using innovative methods to solicit comments from businesses, governments, architects, code officials, and the disability community.

The Program has the responsibility pursuant to Executive Order 12290 to coordinate Federal enforcement of Section 504 of the Rehabilitation Act and other Federal statutes that prohibit discrimination on the basis of disability in programs that receive Federal financial assistance. In addition, the Program represents the Attorney General in her statutory role as the leader of the U.S. Architectural and Transportation Barriers Compliance Board (Access Board). In this capacity, the Program not only participates in the continued development of ADA accessibility guidelines for entities subject to the Department's regulations, but also participates in the development of ADA guidelines for accessible transportation and guidelines applicable to Federal and federally-financed buildings under the Architectural Barriers Act.

The Technical Assistance Program promotes voluntary compliance with the ADA by providing free information and assistance to businesses, state and local governments, people with disabilities, and the general public. Each year, more than one million people are assisted by the Program and its grantees. The Program operates a toll-free ADA Information Line which receives 75,000 calls a year; develops and disseminates AHA publications; provides AHA training to meetings nationwide; and conducts outreach to broad and targeted audiences that include mayors, local chambers of commerce, and millions of businesses. The Program produces a range of technical assistance documents, including the Technical Assistance Manuals and yearly updates; ADA-12, a technical assistance series aimed at businesses, state and local governments, architects, and others explaining efficient ways to comply with the ADA; Question-and-answer publications addressing specific topics; and other materials. These and the ADA regulations may be ordered from the Program or obtained electronically through the Program's electronic bulletin board or the Internet.

Through its grant program, the Program works with trade associations and others to develop and disseminate materials tailored to meet the needs of specific audiences, including hotels and motels, restaurants, grocery stores, small businesses, builders, mayors and town officials, law enforcement, people with disabilities, and others. In 1997, two articles on the ADA were disseminated to 33 million elders through Modern Maturity, magazine as part of a grant awarded to the American Association of Retired Persons (AARP). Materials developed through grants and the Program's technical assistance documents are also disseminated to 15,000 local public libraries. Through recent grants, state-based organizations are making small business owners and state and local government officials aware of the ADA and the resources that are available to assist them in complying.

The Program coordinates ADA technical assistance government-wide, chairing an ADA Technical Assistance Coordinating Committee, conducting legal and technical reviews of materials developed by other agencies to ensure accuracy, and other initiatives.

Many of the enforcement, regulatory, and coordination responsibilities described above were assigned to the Disability Rights Program pursuant to a reorganization that took effect on March 1, 1995. Responsibilities for enforcement of Title I (employment) and all the non-litigation functions under Title II were also placed with the Program. In addition, the Program was given responsibility for continued rulemaking under Titles II and III of the ADA and the responsibility to coordinate Federal enforcement of section 504 of the Rehabilitation Act of 1973 and other Federal disability rights statutes.

The Program components work together to promote compliance with the ADA in a cost-effective manner. The Program attempts to avoid costly litigation by resolving complaints amicably through informal or formal settlement agreements or through mediation wherever possible. The Program participates as amicus curiae in private litigation to assist the courts in interpreting the law in a balanced manner. Technical assistance gives businesses and state and local governments access to information that assists them in avoiding costly mistakes and developing cost-effective approaches for complying with the ADA. Code certification will increase the number of buildings that are constructed in compliance with the ADA's requirements, and costly litigation will be avoided.

PROGRAM CHANGES

Pos.	FTE	Amount
Disability Rights.....	...	\$651

A program increase of \$61,000 for contract paralegal support is requested. This increase will allow the Program to more adequately address the following objectives:

- To ensure that matters of possible noncompliance are resolved in the way most appropriate to the particular inquiry or complaint; through alternative dispute resolution, provision of technical assistance, informal or formal settlement agreement, or litigation.
- To increase, in number and effectiveness, the resolution of matters of alleged noncompliance under Titles II and III of the ADA.

By utilizing contract support, the Program will be able to resolve almost 200 more investigations in 1997 than in 1996. The Program will begin 1997 with 1,680 complaint investigations outstanding (compared to 861 at the beginning of 1995). Some will have been received by the Department up to three years earlier. The Program proposes to have four contract paralegals whose focus would be on informal resolution of the "backlogged" complaints. By this time, the Program will have developed a significant number of "standard" settlement agreements or suggested informal resolutions to particular types of complaints and will have more effective alternative dispute resolution procedures. Largely by using these standard types of resolutions after an investigation of the facts of each matter, each paralegal, with minimal attorney supervision, is expected to resolve 50 investigations during the year, for a total of 200.

The program enhancements requested for 1997 will support the goal of achieving compliance with the ADA in an amicable and highly cost-effective manner.

The remaining \$290,000 increase is the Program's portion of the restoration of base resources not received in 1996 (see Multi-Activity Program Changes).

Office of Special Counsel	Perm. FTE	Amount
1996 Availability	29	\$5,428
1997 Base	29	5,494
1997 Estimate	28	5,828
Increase/Decrease	..	194

NAIS PROGRAM DESCRIPTION: The Office of Special Counsel for Immigration-Related Unfair Employment Practices (OSCE) was created by the Immigration Reform and Control Act of 1986 (IRCA), an amendment to the Immigration and Nationality Act (INA). From its inception in 1987 until March 1994, OSCE operated as a separate component of the Department charged with enforcing the antidiscrimination provisions of INA. In 1994, OSCE merged with the Civil Rights Division. The merger was consistent with efforts to consolidate civil rights policy within the Department and did not alter OSCE's mission.

The antidiscrimination provision of INA was meant to counteract the potential discrimination by employers that would result from the implementation of the Immigration Reform and Control Act. The delicate balance of implementing an employer sanctions while avoiding discrimination against work authorized aliens and U.S. citizens is upset when an employer is overzealous in attempting to prevent the employment of undocumented workers. Too often this means that "foreign" looking or "foreign" sounding individuals are subjected to different treatment by employers.

Pursuant to 8 U.S.C. 1324b, OSCE investigates and prosecutes cases of discrimination in hiring, firing, or referral for a fee based on an individual's citizenship status or national origin. Section 1324b covers all employers with four or more employees. However, OSCE does not have jurisdiction over national origin claims already covered by Title VII, i.e., employers with 15 or more employees.

National origin discrimination consists of unequal treatment because of a person's place of origin or because the person has certain physical, cultural, or linguistic characteristics of a particular national origin group. All individuals except unauthorized workers are protected against national origin discrimination.

Discrimination based on citizenship status consists of employers making distinctions among workers in the context of hiring, firing, or referral for a fee because of their citizenship or immigration status. Citizenship status discrimination is permitted only under narrow circumstances; namely, when required to comply with governmental regulations. For example, in *United States v. Southwest Marine Corporation*, the employer delayed recalling the complainant after a lay off because the complainant was not a U.S. citizen. The employer argued that in delaying the complainant's recall, it was merely attempting to comply with a U.S. Navy regulation. However, the Administrative Law Judge (ALJ) found that the regulation at issue did not require the employer to discriminate against noncitizens. Therefore, the employer committed an immigration related unfair employment practice by basing its delay of complainant's recall on his citizenship status.

Section 925 of the Immigration Act of 1990 ("1990") added retaliation to the prohibitions on discrimination enforced by the Special Counsel. Specifically, the amendments to INA prohibited retaliation against individuals for exercising their rights under the statute. Additionally, 1990 made document abuse, i.e., requesting more or different documents than necessary for employment verification purposes or refusing to accept valid documents, an unfair employment practice. Document abuse is the most common type of charge handled by OSCE and all work authorized individuals are protected. For example, in November 1993, OSCE settled a charge filed by a Bosnian national who had been admitted to the United States on a student visa and then granted political asylum. When

the charging party received his employment authorization document (EAD), he applied for an entry level position at a pharmacy. The chief pharmacist noticed his accent and asked him if he were in the country legally. The charging party then presented his EAD. The chief pharmacist rejected this document stating he had never seen a card like it before and the charging party could apply again when he obtained legal status. As part of the settlement the pharmacy agreed to pay the charging party \$1,200 in back pay and educate its management about the requirements of INA's antidiscrimination provision.

The issue of document abuse also arises in the context of the verification process. In *United States v. Louis Budenz Iron Metal*, an ALJ found that the company violated the document abuse provision by discharging a permanent resident, whose temporary resident card had expired. The complainant had not received his permanent resident card from the INS. So, for verification purposes, he presented a genuine state-issued identification card and a social security card.

OEC is carefully monitoring the number of new charges received from California to determine if Proposition 187 results in an increase in perceived immigration related unfair employment practices. Should such an effect be detected, OEC will work closely with our grantees in the state to increase public education for both employees and employers regarding their rights and responsibilities under INA's antidiscrimination provisions. Further, while development of the protocol for the IVS Pilot is still in its formative stages, we expect OEC to work closely with INS on the development of that project, as well.

OEC coordinates with officials of the Equal Employment Opportunity Commission (EEOC), the Immigration and Naturalization Service (INS), the Department of Labor, other federal and state agencies and community-based organizations to ensure uniform and effective enforcement of INA's antidiscrimination provisions. Additionally, OEC provides legislative counsel to other programs within the Department and to other federal agencies.

With respect to charge referral, in addition to its memorandum of understanding (MOU) with the EEOC, OEC has entered into MOU's with numerous state and local human rights agencies throughout the country. These MOU's are very basic referral agreements aimed primarily at gaining the opportunity to increase awareness among state and local government personnel of OEC and the INA's antidiscrimination provisions.

OEC promotes awareness of INA's antidiscrimination provisions through public outreach efforts including: an annual nationwide grant program; media advertising; training; publications; and participation in conferences and cooperative activities involving public and private groups. The 1990 Immigration Act extended to the Special Counsel specific statutory responsibility for the development of a nationwide public education campaign.

OEC's main public education activity is its annual grant program for nonprofit organizations throughout the country for the development and implementation of public education programs designed to address the unique needs of communities with high alien and minority language populations. Public education activities also include a national outreach campaign through a private contractor which has aired television and radio announcements nationwide, as well as produced and distributed materials in many languages. Main projects in 1999 included: a) making information and OEC charge forms available on the Internet; b) automation of OEC's intake/referral system for optimal efficiency; c) development of a new public service announcements (PSAs) in various languages to be distributed to ethnic media outlets; d) distribution and placement of previously developed radio and television PSAs; and, e) development of writer oriented articles and media kits for distribution to ethnic media outlets.

Attorneys from the Special Counsel's office make numerous presentations to interested groups across the country regarding the anti-discrimination provision of law. They have spoken before employer groups, community radio talk shows, and labor unions. In 1996, OGC attorneys made 44 public appearances. Meetings have been held with many diverse groups as: Mexican American Groups' Association; National Immigration Law Center; Utah State Office of Hispanic Affairs; and, DOJ Educational Training Administration, Regions II and III.

Additionally, OGC maintains liaison with nearly a dozen federal agencies and has continued aggressive outreach to inform public interest and community groups, as well as INS offices and legal aid centers, of the antidiscrimination requirements under Section 1324b.

In 1996 and 1997, OGC will focus investigative resources on illegal discrimination against lawful immigrants in hiring and firing based on national origin and/or citizenship status. OGC will also address barriers to employment facing legal immigrants and "foreign looking" individuals in the employment verification process and, to the extent feasible, address situations that combine allegations of citizenship status and national origin discrimination.

OGC will continue to coordinate antidiscrimination enforcement objectives with other government agencies through memoranda of understanding that will make more effective use of the Office's investigative and prosecutorial resources. Further, OGC will continue to work with INS offices to ensure that a uniform, clear message is communicated to the public (including employers) regarding compliance with Immigration Reform and Control Act. Finally, OGC will also continue to enhance enforcement and outreach activities through a concerted effort to maintain and further develop ongoing communication with community-based organizations, state and local government agencies, and other pertinent entities, and continue to improve the routine review of outreach projects to ensure that they provide information effectively to those impacted by the program.

	PERM.	FTE	AMOUNT
Management and Administration			
1996 Availability	69	83	\$9,232
1997 Base	69	83	9,787
1997 Estimate	62	83	9,134
Increase/Decrease	..	..	-147

This budget activity includes resources for Executive Direction and Control (which includes the Office of the Assistant Attorney General and the Administrative Management Section) and Records Administration.

Executive Direction and Control

BRIEF PROGRAM DESCRIPTION. The Assistant Attorney General and Deputy Assistant Attorney General establish policy and provide executive direction and control over litigation enforcement and administrative activities of the Division. Each of the Deputy Assistant Attorneys General oversees specific program-related sections. The Administrative Management Program provides a diverse array of management and technical services. These services include, but are not limited to, personnel administration, procurement, budget formulation and execution, facilities services, mail and file operations, and automated systems.

The Administrative Management Program also contains the Freedom of Information/Privacy Act (FOI/PA) Branch. The Branch's principal function is to ensure that the Division complies with all aspects of the Freedom of Information and Privacy Acts. The Branch also provides procedural guidance to citizens and legal counsel to other Programs of the Civil Rights Division regarding FOI/PA requests and coordinates and represents the Division's interests in FOI/PA litigation and in the administrative appeals of request denials.

Significant accomplishments in 1998 include:

- the transition of users to MICROS II Plus and replacement of microcomputers and printers consistent with the requirements of the follow-on contract, JOCW, beginning in 1996;
- engineered major Geographical Information System (GIS) hardware and software upgrades, resulting in improved performance and expanded analytical capabilities, and secured the start of a new five-year GIS support contract; and,
- established a correspondence tracking system and began the long-overdue modernization of the Division case management system, including new hardware and software platforms, which will yield more reliable data and greater access for Division users.

The workload of the FOI/PA Branch on requests (without regard to appeals and litigation) totalled 1,166 requests for the most recent 12 month period for which the Branch has statistics (1997 new FOI/PA requests were received during this period). During this period, the FOI/PA Branch closed 70 percent of all new incoming requests. The 24 percent above average increase in incoming requests in 1998-1999 has been unprecedented in the entire history of the Division. The increase is due to recent administrative action taken in the Office of Addressing by the Administration that resulted in many additional requests being referred to the FOI/PA Branch. The Division's litigative sections which caused a correlative increase in the number of incoming FOI/PA requests. The Branch anticipates that the level will stabilize in the remainder of 1998, enabling it to focus on dropping the pending level by greater amounts in 1999.

Address Administration

BRIEF PROGRAM DESCRIPTION: The Civil Liberties Act of 1988 (P.L. 100-383) (the Act) assigned the Attorney General responsibility for Section 105. The Act provided that payments of \$20,000 each be made to eligible individuals of Japanese ancestry who were evacuated, relocated, or interned by the United States Government during World War II. To carry out these responsibilities, the Office of Address Administration (OAA) was created within the Civil Rights Division.

OAA's workload has included making eligibility determinations on the remaining unique cases, and disbursing payments to eligible individuals. OAA has disbursed over 97 percent of the \$1.46 billion available, representing 79,875 cases. Additionally, OAA continues to monitor a helpline and respond to correspondence from individuals inquiring about the status of their claim. OAA continues its aggressive outreach efforts in the Japanese-American community, which have included several workshops around the country, and regular contact with community leaders through quarterly updates and press releases.

OAA's goals for 1998 and 1999 include locating the remaining 3,400 individuals for whom OAA has been unable to gather current information in relation to OAA's historical records. OAA is required by the Act to account for

each of these individuals, OHA also plans to make final legal determinations on approximately 800 unique cases. In addition, OHA will continue developing a phase-down plan for its operations as the program matures. As of August 1990, all computerized and hard-copy historical records relating to the internment period will be archived as part of this plan.

A July 6, 1990, Federal Appeals Court reversal in the case of *Douglas K. Ishida v. United States* will affect the eligibility of nearly 1,200 cases. Based on the adverse court decision substantial manpower support will be required to review these cases since approximately 3,000-5,000 other individuals, not currently identified, may file similar claims.

Further, another lawsuit, *Naikan Kawasato et al. v. William Hays et al.*, No. C92-20010, was filed on March 22, 1990. This case involves Japanese plaintiffs who were minor children during the war and who were relocated to Japan with their parents. The plaintiffs are seeking the eligibility of their parents who returned to Japan during the war. However, based on the Department's new legal interpretation of the War Relocation Authority Act, only those persons who returned voluntarily are ineligible, the minor children who were relocated to the camps will now be eligible for redress. Thus the lawsuit was stayed and the Civil Rights Division is in the process of promulgating regulations to make this category of claimants eligible. This proposal will increase the number of claims eligible for redress. OHA is unable to project the number of additional eligible persons, who have not yet contacted OHA, because of the lack of dates of birth on some of the historical records.

PERFORMANCE MEASUREMENT TABLE, PRESENTED BY DECISION UNIT

NAME OF DECISION UNIT: FEDERAL APPELLATE ACTIVITY		PERFORMANCE TARGETS AND ACTUAL RESULTS									
PERFORMANCE INDICATOR INFORMATION											
Type of Indicator	Performance Indicators	1993 Actual	1994 Actual	1995 Target	1995 Actual	1996 Target	1996 Actual	1997 Target	1997 Actual	1998 Target	1998 Actual
Workload/Activity											
Origins	1. Cases/Matters Received	115	130		199	140	140	140			
	2. Briefs and Substantive Papers Filed (% Amicus)	76(23)	82(19)		112(21)	86()	86()	86()			
	a. Supreme Court (f Amicus)	27(9)	26(6)		34(6)	20()	20()	20()			
	b. Court of Appeals (f Amicus)	51(9)	43(10)		78(16)	56()	56()	56()			
	3. Recommendations to the Solicitor General	39	33		42	50	50	50			
	4. Oral Arguments	20	33		36	40	40	40			
	5. Notices of Appeal Filed	4	10		8	5	5	5			
	6. HUD Enforcement Actions	5	7		6	5	5	5			
	7. Legal Counsel and Research Assistance Provided	55	116		105	80	80	80			
Intermediate Outcomes	8. Supreme Court Steps or Opinions Granted	2	3		3	4	4	4			
	9. Courts of Appeals Steps Granted	2	3		3	2	2	2			
End Outcomes	10. Supreme Court Merits Decisions	7	7		9	7	7	7			
	a. Number of Cases Won (Full or Partial Success)	5	3		6	5	5	5			
	b. Success Rate (%)	71%	43%		67%	71%	71%	71%			
	11. Courts of Appeals Merits Decisions	34	40		47	38	38	38			
	a. Number of Cases Won (Full or Partial Success)	29	35		35	34	34	34			
	b. Success Rate (%)	85%	87%		74%	89%	89%	89%			
	12. HUD Judgments Reversed	-	4		3	4	4	4			

A. Definitions of Terms or Explanations for Indicators	
#1 Cases: Supreme Court and courts of appeals cases in which the Division is a party or amicus, or is seriously considering such participation. Matters: work performed on legal issues principally handled by other Divisions and federal agencies, and internal research activities.	
Cases/Matters Handled: a number equal to the number of cases/matters commenced plus ten percent (10%) which reflects cases/matters not placed on the computer system which the unit received and then disposed of without lengthy analysis.	
#3 Recommendations to the Solicitor General: represent memoranda to the Solicitor General presenting the unit's legal judgment for or against an appeal or amicus participation. Amicus curiae means "friend of the court." United States' involvement is not as a party to the suit, but one who provides information and argument to aid a court in reaching a proper decision or to urge a particular result.	
#6 HUD Enforcement Actions: Cases involving judicial enforcement of final administrative orders.	
#7 Legal Counsel and Research Activities Provided: Formal comments (written and oral) to other Divisions, agencies or the Solicitor General concerning cases handled by others, as well as other legal and policy memoranda not normally used with a particular Division case, prepared at the request of the Assistant Attorney General.	
#10b & 11b Success Rates: The percentage of cases in which the court largely adopts our reasoning and suggested results.	
B. Factors Affecting FY 96 Program Performance	
Categories reflect increases over prior fiscal years due to significant increased litigation in the Voting Rights and Housing areas. There was also a slight increase in the number of criminal prosecutions we continue to defend. Appellate activity is contingent upon the level of activity in the trial sections of this Division, and in the Office of General Counsel of the Department of Housing & Urban Development. See also, Section "C" for other factors affecting total figures or estimates.	
C. Factors Affecting Estimates of FY 96 and FY Targets	
Estimates or projections for future years in all categories are based on considerations of staffing, production in previous years, and the level of activity in the trial sections. It should be noted, however, that the work of this Program is closely scrutinized in the Office/Activity of legislative programs, and that for 20 years Court activity is dependent upon the types of cases which the Court decides to hear. Should the workload activity of the trial sections increase substantially, this Program's estimates will require adjustment.	

PERFORMANCE MEASUREMENT TABLE: PRESENTED BY D/CESSION UNIT

NAME OF DECISION UNIT: Civil Rights Prosecution		PERFORMANCE TARGETS AND ACTUAL RESULTS							
Type of Indicator	Performance Indicator	1993 Actual	1994 Actual	1995 Target	1995 Actual	1996 Target	1997 Target		
Input	1. Number of Complaints Received a. from Citizens b. from the FBI	9430 5873 3755	8342 5312 3030	8342 5312 3030	8864 6003 2761	8603 6003 2761	8603 6003 2761		
Output/ Activity	2. Number of Complaints Reviewed 3. Number of Matters Investigated 4. Number of Matters Closed 5. Number of New Matters to Grand Jury 6. Number of Cases Filed by Type of Case a. Official Misconduct b. Racial/Religious Violence (Hate Crimes) c. PACE d. Involuntary Servitude/Other	1006 3035 3945 11 29 23 0 6	8901 3453 2886 41 74 34 3 3	8905 3500 2886 44 74 34 3 3	8981 3570 2462 48 83 30 43 16 4	8970 3570 2462 46 75 30 43 16 4	8190* 3270 2616* 70* 83* 32* 41* 7* 4		
Intermediate Outcomes	7. Pending Matters 8. Pending Grand Juries	2089 61	1956 67	1956 67	1806 59	1806 59	1676 63		
End Outcomes	9. Success Rate of Cases - Overall a. Official Misconduct b. Racial/Religious Violence (Hate Crimes) c. PACE	73% 58% 93%	90% 78% 100%	90% 78% 100%	89% 78% 100%	89% 78% 100%	89% 78% 100%		
Productivity/ Efficiency	10. Matters Investigated/Attorney 11. New Matters to Grand Jury/Attorney 12. Cases/Attorney	138 2.3 2.7 n = 22	105 2.6 3.0 n = 25	107 2.7 3.2 n = 24	112 2.8 3.3 n = 24	103 2.8 3.3 n = 24	103* 2.7* 3.3* n = 27		

<p>A. Definitions of Terms or Explanations for Indicators</p>	<p>1993 Actual activity reported for Item #1 and #4 are different than reported in the 1994 Congressional budget due to typographical errors; 1994 Actual activity reported for Item #2 is different than reported in the 1994 Congressional budget due to a calculation error.</p> <p>Item #1(b)-The "Number of Complaints Received from the FBI" includes less serious, non-fatal complaints called "V17s" that are reviewed by paragraph. The remaining complaints are FBI investigations ("Matters Investigated" Item 3) which are assigned to attorneys.</p> <p>Item #2-The figure includes investigations conducted by the FBI and referred to the Program for prosecutive review as well as complaints received directly by the Program and referred to the FBI for investigation.</p> <p>Item #6(b)-"Other" are cases involving offenses not related to racial/religious violence which gave out of racial/religious violence cases; involuntary servitude cases are also included on this line. 1993 figures also include one custody to remain case.</p> <p>Item #8-"Success Rate" = (Convictions + Pleas)/Complaints + Pleas + Acquittals + Dismissals.</p> <p>Numbers reflect all activity occurring or pending within a given fiscal year. For example, some of the actual convictions, pleas and acquittals occurring in a given fiscal year, which are used in calculating "Success Rate", resulted from cases filed in prior fiscal years.</p> <p>Item #10, #11 & #12-"Productivity/Efficiency" indicators were based on the number of less serious matters authorized for that fiscal year (or "y"). For example, the actual number of "Matters Investigated per Attorney" for 1993 (138) was derived by: dividing the number of "Matters Closed" (2045) by the number of less attorneys (23).</p>
<p>B. Factors Affecting FY 95 Program Performance</p>	<p>Item #3 and #6-Despite a decreasing number of FBI investigations ("Matters Investigated"), attorneys have been successful in developing an increasing number of meritorious matters less favorable (Cases 1-3a).</p> <p>Item #4-The increase in the number of cases filed in 1995 partly reflects the program's new enforcement authority under F.A.C.E.</p> <p>Item #5-The decrease in the number of pending appeal cases is partly due to attorney resources spent on filing cases and pending prosecutions as opposed to developing new matters for grand jury.</p> <p>"Input" and "Output/Activity" indicators for 1995 are based on actual performance.</p>

C. Factors Affecting Selection of FY 96 and FY Targets.

Items J1 and J3—Since we have no control over the number of 'Complaints Received' and 'Matters Investigated', 1996 and 1997 Targets are the same as 1995 actuals.

Item J2, J5 & J6—Targets based on an average of complaints reviewed from 1994 and 1995. Productivity in 1996 is expected to decrease slightly due to multiple attorney resources on several complex cases currently pending and due to current level of lawyers with little criminal experience. Item J4—Targets for 1996 are based on 1995 actuals due to increased attorney resources spent on filing cases and current prosecutions.

Item J6(O)—1996 indicators based on 1996 year-to-date trends and historical data.

Item J6(O)—Based on average from 1994 and 1995. Racial violence cases filed in 1995 were at all time high and although current trends suggest continued activity in hate violence, however, it is difficult to predict exactly how many cases will be filed.

Item J6(O)—Based on average of cases filed since enactment of FACS statute. Increase in cases filed in 1995 reflects a recent upsurge of activity in abortion violence.

Item J6(O)—Based on historical trends.

Item J7 and J8—Targets for 1996 are the same as 1995 actuals. This is the predicted effect of the increased litigation responsibilities without commensurate attorney staff for 1996, which may slightly lower productivity in 1996. With three additional attorneys in 1997, the Program assumes an increase among some performance indicators including Pending Grand Jurors' and a decrease in 'Pending Matters'.

Item J9—Because 'Success Rate' is difficult to predict, 1996 and 1997 Targets are the same as 1995 Actuals.

Except where noted above, all 1997 targets based on 1996 indicators with requested enhancements.

* Program is further seeking a revised 1997 program design. A performance indicator and target need to be set for the results that will be achieved should resources be reduced.

PERFORMANCE MEASUREMENT TABLE PRESENTED BY DISCRIM UNIT

NAME OF DISCRIM UNIT: SPECIAL LITIGATION SECTION		PERFORMANCE TARGETS AND ACTUAL RESULTS					
Type of Indicator	Performance Indicators	PERFORMANCE INDICATOR INFORMATION		PERFORMANCE TARGETS AND ACTUAL RESULTS			
		1253 Actual	1254 Actual	1255 Target Actual	1256 Target	1257 Target	
Workload/Activity	1. Number of complaints received during the year including telephone calls:	2800	2644	2800	2630	2800	3000
	a) CRIPA	-	-	260	75	50	50
	b) FACES	-	-	-	20	50	50
	c) Police Misconduct	-	-	-	175	380	450
	d) ADA	-	-	-	-	-	-
	2. Number of new investigations opened:	21	28	20	37	10	10
	a) CRIPA	-	2	60	50	40	40
	b) FACES	-	-	-	5	6	6
	c) Police Misconduct	-	-	-	0	25	45
	d) ADA	-	-	-	-	-	-
	3. Number of new cases opened:	2	9	4	9	8	8
	a) CRIPA	-	-	12	9	8	8
	b) FACES	-	-	-	0	2	5
	c) Police Misconduct	-	-	-	0	2	5
	d) ADA	-	-	-	-	-	-
	4. Number of facilities monitored pursuant to CRIPA consent decrees.	33	33	32	44	60	64
	5. Number of Ombudsman/ expert evaluations of institutions	90	100	100	120	100	105
	6. Number of institutions from which documents received and reviewed.	73	90	78	116	110	115
	7. Number of staff days reviewing institutional documents	200	250	250	300	250	230
	8. Number of coordination conferences with U.S. Attorney staff	75	75	90	135	100	100
	9. Number of State-Local official coordinations	100	100	120	150	120	120

Workload/ Activity (Continued)	120	150	150	175	200	190
10. Number of compliance reports reviewed	-	-	-	10	10	15
11. Number of police misconduct field investigations conducted by Section staff.	-	-	-	10	10	15
12. Number of speeches, conferences and appearances by Section staff.	10	10	10	12	12	12
13. Number of cases pending at end of FY:						
a) CRIPA	31	32	33	59	62	64
b) FACS	-	-	12	15	20	28
c) Police Misconduct	-	-	2	0	2	4
d) ADA	-	-	0	0	2	5
14. Number of referrals to FBI	-	-	-	12	10	12
15. Number of referrals to Office of Justice Programs	-	-	-	25	38	50
16. Number of ADA administrative reviews completed.	-	-	-	10	10	25
17. Number of Contempt Motions filed	-	-	-	4	5	6
18. Number of CRIPA consent decrees entered during FY	2	10	12	10	10	10
19. Percentage of cases in which consent decrees, court orders or preliminary injunctions have been achieved.	90%	90%	90%	92%	93%	95%
20. Number of FACS Preliminary Injunctions won in FY	-	-	-	5	4	6
21. Number of subject facilities which instituted new policies as a result of CRIPA enforcement.	-	-	-	90	95	98
22. Number of new facilities constructed as a result of CRIPA enforcement	-	-	-	7	5	5
23. Number of facilities which increased staff resources due to opening of CRIPA investigation or filing of complaint	-	-	-	80	85	88

Item	17	33	25	29	12	15
24. Number of facilities receiving CRIPA finding letters during FY	3	12	50	14	10	10
25. Number of consent decrees, permanent injunctions or court orders obtained in FY	-	-	15%	25%	30%	30%
26. Percentage of investigations completed in two years	90%	90%	90%	91%	95%	95%
27. Percentage of cases favorably resolved by consent decrees, preliminary injunctions or court order	-	-	10%	10%	15%	15%
28. Percentage of cases which achieved closure within 5 years	-	-	-	-	-	-
29. Number of persons at reduced risk of personal harm (No impaired medical care, improved living conditions, adequate staffing) as a result of CRIPA enforcement:	-	-	-	118,270	120,000	122,000
a) Prison	-	-	-	3,040	3,200	3,400
b) Jail	-	-	-	1,910	2,000	2,200
c) Mental Health	-	-	-	3,000	3,200	3,400
d) Mental Institutions	-	-	-	2,400	2,600	2,800
e) Juvenile Detention	-	-	-	500	500	500
f) Nursing chronic care	-	-	-	-	-	-
30. Number of consent decrees terminated	2	3	6	4	3	3
31. Number of investigations closed	3	2	3	5	10	20
32. Number of cases/ investigations closures due to voluntary compliance	-	-	-	4	6	12
33. Number of cases where defendants have moved for termination of the consent decrees	-	-	-	3	4	3

Productivity/ Efficiency	35. Percentage of cases won					
	36. Average number of investigations/ attorney					
	37. Of total active cases/ court orders, percentage achieving partial compliance in FY					
	38. Percentage of investigations which result in improved conditions of confinement					
	39. Percentage of cases for which no compliance follow up was taken during the FY					
	93%	93%	93%	93%	93%	93%
	5	6	6	8	7	7
	93%	93%	93%	93%	93%	93%
	100%	100%	100%	100%	100%	100%
	15%	15%	10%	30%	30%	20%

<p>A. Definitions of Terms or Explanations for Indicators: Clarify potentially confusing terms.</p>	<p>#1 Initial activity under FACS reviewed matters accounted for the prior two years, referred by the AG's Task Force on Violence. Projections for reduced FACS activity reflect both elimination of the backlog as well as fewer complaints due to vigorous initial enforcement. Substantial increases are anticipated in ADA enforcement as complaints become more aware of their rights.</p> <p>#2 CRIPA enforcement allows a period of time for voluntary compliance by subject institutions. This period includes time for the provision of information to be established, re-evaluation of compliance, review of defendant's remedial plan, evaluation of defendant's progress in eliminating identified constitutional deficiencies. Additional findings letters may be issued when satisfactory progress is made. Formal consent decree negotiations may commence which often take one year or longer to conclude. Each investigation is considered individually and specific responses are made to institutions as required by the facts presented.</p> <p>#3 Coordination conference includes discussions of both substantive and procedural aspects of matters with USA staff to keep them apprised.</p> <p>#4 State-Local coordination includes/investigation discussions with institutional counsel regarding institutional terms, document retrieval, policy review, systems reviews, pre-negotiation strategies, mediation, negotiation and post-decree compliance requirements.</p> <p>#10 Compliance reviews require, limit all, incidents of harm, use of force, medical and psychiatric care use of restraint, staffing ratios, adequacy of professional staffing, staff training, community placement.</p> <p>#12 Speeches and conferences are utilized as outreach to educate to interested groups and parties Departmental enforcement programs and to solicit views.</p> <p>#17 Complaint activities are filed when defendants fail to comply with ordered relief. Typically they occur after a protracted period of non-compliance.</p> <p>#18 CRIPA encourages voluntary compliance by subject facilities. This process, described in #7 above, is time consuming and may take one year or more due to the numerous activities which provide negotiations for settlement.</p> <p>#24 Initial findings letters are sent at the end of the investigation period of CRIPA enforcement, as reasonably required.</p> <p>#26 Delays in completing investigations are caused by the time required to schedule conditions for tours, conduct on site evaluations, review voluminous institutional documents, interview staff, interested parties, etc. Often the unwillingness of state and local officials to cooperate results in numerous negotiation sessions to resolve questions on the appropriateness of the methods of investigation.</p> <p>#28 Cases are not closed until minimum constitutional standards of care have been achieved. Protracted negotiation over the terms of settlement and the degree to which facilities achieve compliance with those terms often takes many years, depending on the efforts made by the defendants. When compliance is achieved, consent decrees are terminated, or orders of dismissal are sought.</p>
<p>B. Factors Affecting FY 96 Program Performance.</p>	<p>In 1995, the Program employed three paralegals under a litigation support contract to assist the immediate support needs associated with FACS. This support includes reviewing hundreds of pages of investigative reports, developing witness lists, coordination with United States Attorneys, filing complaints, necessary retaining orders and preliminary injunctions, and seeking damages against persons or organizations blocking access to reproductive health clinics.</p>
<p>C. Factors Affecting Reduction of FY 96 and FY Targets.</p>	<p>Provide information on the selection of target levels of performance, where necessary.</p>
<p>#3</p>	<p>Approximately 12 jail investigations will likely be settled or under settlement in FY 1996 and FY 1997.</p>

PERFORMANCE MEASUREMENT TABLE: PRESENTED BY DECKSON UNIT

NAME OF DECKSON UNIT: Voting		PERFORMANCE TARGETS AND ACTUAL RESULTS									
Type of Indicator	Performance Indicator	1992		1993		1994		1995		1996	
		Actual	Target	Actual	Target	Actual	Target	Actual	Target	Actual	Target
Workload Activity	1. Section 2 performance subcommittee	9166	9166	9166	9166	9166	9166	9166	9166	9166	9166
	2. Committee subject to minority language requirements	414	414	414	414	414	414	414	414	414	414
	3. Committee eligible for dissent observer decision coverage	144	144	144	144	144	144	144	144	144	144
	4. Minutes received							179	175		180
	5. Cases filed	15	37	27	37	22	37	22	14	20	20
	a. Section 2	8	8	5	8	3	8	3	4	7	7
	b. Section 3 enforcement	3	15	9	15	2	15	2	1	2	2
	c. Section 3 discretionary judgment defense	2	5	5	5	4	5	4	1	1	1
	d. minority language	2	2	1	2	1	2	1	2	3	3
	e. NVRA	0	0	0	0	4	4	7	1	2	2
	6. Active cases	0	0	0	0	0	0	0	0	0	0
	a. Section 2	30	79	49	79	65	79	65	63	64	64
	b. Section 3 enforcement					18	16	18	16	21	21
	c. Section 3 discretionary judgment defense					10	8	10	8	8	8
	d. minority language					12	7	12	7	6	6
	e. NVRA					7	8	7	8	9	9
	f. reflecting challenge under BIA and MILR					7	4	7	4	7	7
	g. UOCAVA					10	12	10	12	14	14
	h. miscellaneous					0	2	0	2	1	1
	7. Studies coverage - investigations					226	225	226	225	225	225

Output	15	16	17	18
8. Title held	3600	4700	4350	4350
9. Section 5	25520	19000	16000	16000
a. Section 5 submissions reviewed				
b. Section 5 changes reviewed				
10. Section coverage				
a. Jurisdiction maintained by federal observers	4828	29444		
b. number of federal observers	33	51	23	23
11. Case	522	500	500	500
a. Breachable rulings				
b. unbreachable rulings	26	34	34	34
c. percentage breacheable	14	6	6	6
12. Section 5 requests for more information	675	835	835	835
13. Case	107	74		
a. complete cases previously litigated	2	2	2	2
b. complete cases currently litigated	0	0	0	0
c. partial cases previously litigated	100%	100%	100%	100%
d. partial cases currently litigated	9	12	12	12
e. resolved cases previously litigated	3	0	0	0
f. pending cases previously litigated	75%	100%	100%	100%
14. Section 5				
a. Section 5 submissions obtained in	34	23	23	23
b. Section 5 changes obtained in	42	49	49	49
c. Section 5 submissions presented	3032	4675	4350	4350
d. Section 5 changes presented	12674	18960	15960	15960
15. Pending cases with distributions presented or remanded	136	208	208	208
16. Completed cases & sections per temporary/federal attorney	33.6	33.4	33.7	33.7
17. Section 5 submissions actions per attorney-observer	967	1175	1000	1000
18. Section 5 change actions per Section 5 analyst	830	830	830	830

A. Definitions of Terms or Explanations for Indicators	
1	<p>Section 4(c) of the VRA, counties subject to preclearance since 1980 and include states and counties covered under Section 4(c) of the VRA, counties subject to preclearance as a result of Section 3(c), and cities, school districts, and other such entities within them, all of which are covered individually in this manner, since each submits changes independently of the others.</p> <p>Counties subject to minority language requirements are counties and other political subdivisions subject to Section 4(N)(4) or Section 203(c) of the VRA.</p>
2	<p>Counties eligible for federal observer election coverage are counties and other political subdivisions certified under Section 6 of the VRA or under Section 3(c) court order.</p>
3	<p>Matters resolved includes elections believed to be problems brought to our attention by letters, telephone calls, faxes, personal contacts, and our own research and inquiries with respect to our activities.</p>
4a	<p>Section 2 of the Voting Rights Act (VRA) prohibits practices that have a discriminatory result; we use it especially to challenge methods of election and redistricting plans that deny minorities a fair opportunity to elect candidates of their choice.</p>
4b	<p>Section 5 of the VRA requires the federal review of voting changes made by specially covered states and counties, cities, school districts, and other political entities to assure that they are not discriminatory. We bring Section 5 enforcement actions to enforce the enforcement of changes to which an objection has been interposed by the Attorney General or which have not been received for the required review.</p>
5a	<p>A jurisdiction can seek a Section 5 declaratory judgment that an objection to voting change is not discriminatory. These cases usually are complex, and their outcome is a nondiscriminatory responsibility of the Program.</p>
5b	<p>Section 4(N)(4) and 203 of the VRA require certain jurisdictions to use specified minority languages in their electoral process.</p>
5c	<p>The National Voter Registration Act (NVRA), or "motor voter" law, which went into effect on 11/1/95, requires the states to conduct voter registration by mail, to permit voters to register when they obtain driver's licenses, and to conduct voter registration at specified government agencies, and prohibits voter purges except under very controlled conditions.</p>
5d	<p>The Program seeks to defend redistricting plans minority characterized as racial gerrymanders under <i>Shaw v. Reno</i> and <i>Johnson v. Miller</i> that provide minorities fair opportunities to elect candidates of their choice.</p>
5e	<p>The Unfederated and Overseas Citizens Absentee Voting Act (UOCAVA) provides a remedy for the late mailing of absentee ballots for federal elections to members of the Armed Forces and other citizens who are abroad.</p>
6	<p>An active case is a case with activity or significant compliance monitoring at some point during the year.</p>
7	<p>This includes preliminary and summary judgment and other dispositive hearings.</p>
8	<p>Each Section 5 submission contains one or more voting changes.</p>
9	<p>Under Section 8 of the VRA federal observers selected by the Office of Personnel Management monitor elections where the Program has determined that observers are necessary to document and deter discrimination. In determining the number of jurisdictions with elections monitored by federal observers, we count each time an election conducted by a county, city, or school district is monitored by federal observers.</p>
10	<p>Included under are important but non-dispositive court decisions, for example, with respect to motions for preliminary relief and summary judgment.</p>
11	<p>More information from submitting authorities with respect to Section 5 submissions is requested when necessary to enable us to determine whether or not the submitted changes are discriminatory. Section 5 objections are frequently provided by "more information" requests.</p>
12	

13	Cases are classified similarly by supervising attorneys based on the legal and factual issues involved. Cases are classified as uncontested, litigated by supervising attorneys when a consent decree is filed with the complaint, when a court grants the relief that was sought, or when we otherwise accomplish the objectives of the litigation. Cases are included even if reports or compliance monitoring are not completed.
14a,b	Section 5 objections almost always lead to compliance by the submitting jurisdiction. If the jurisdiction refuses to comply, an enforcement lawsuit can be brought, in which it is not necessary to prove that the voting practice in question is discriminatory. Jurisdictions that respond to an objection by requesting reconsideration or filing a declaratory judgment action normally comply with the objection until it is withdrawn or the declaratory judgment is granted.
14c,d	By precluding a proposed voting change submitted under Section 5, the Attorney General makes the change legally enforceable under federal law. The numbers presented are based on 99 and 114 & b.
15	Polling places with discrimination prevented or remedied refers to polling places at which federal observers (see #10) were present. The presence of observers deters discrimination, enables us to remedy the discrimination while the election is in progress, or provides a basis for resolving prior to the next election those problems not amenable to immediate resolution (for example, inadequate minority language procedures).
16	Program attorneys, in addition to their litigation responsibilities, handle complex Section 5 submissions, handle numerous matters and inquiries that do not develop into lawsuits, investigate complaints for the possible need for federal observer coverage under Section 5 of the VRA, and attend elections monitored by federal observers. Completed cases and matters per supervisory attorney is based on an annual number of cases reported in #13 and completed matters as well as Section 5 submissions, election investigations, and election coverage.
17	Attorney-reviewers are Program attorneys assigned to supervise Section 5 analysis in the review of voting changes and to prepare legal analyses of submissions; included in the number of attorney-reviewers is the Special Section 5 Counsel.
18	Section 5 analysis also makes litigation support and in election coverage preparation.
B. Federal Affiding FY 96 Program Performance.	
5	The number of cases filed in 1995 was lower than anticipated because cases filed in prior years and over cases have been very demanding of Program resources. In particular, our 8(a)(2) cases are extremely complicated both legally and factually and have required major investments of human resources.
9	The number of Section 5 submissions and changes reviewed in 1995 was lower than anticipated because we expected that states' compliance with the NVRA would lead to an increase in Section 5 volume (such an increase did not occur), and because the submissions of redistricting and related precinct and polling place changes dropped off more than anticipated.

C. Predicting Affecting Selections of FY 94 and FY Targets.

5. Fewer new lawsuits will be filed in 1995 than in 1994 because the continued litigation of complex cases begun in 1993 and earlier years will require a large commitment of resources in 1995. It is probable, based on past experience and developments in voting rights law, that several of the new lawsuits in 1994 and 1997 will be as complex as those in which we have participated in 1993. However, we expect a steady increase in new lawsuits in 1997 because of the conclusion of a number of very demanding lawsuits in 1993 and 1994.
- 5a.1 We cannot readily set targets but can only project based on past experience the number of Section 5 declaratory judgment actions we will need to defend and the number of those redistricting challenges in which we will participate. With respect to them, we must to the actions (or lawsuits) of others.
9. We expect Section 5 actions to increase substantially in 1995 as jurisdictions prepare for the November 1995 election, especially in view of the greatly increased numbers of new voters expected as a result of VRAA redistricting. Voters should understand in 1997.
10. We cannot readily set targets but can only project based on past experience the number of federal observer election cases; we must to the actions (or lawsuits) of others. The number of federal observer election cases will vary depending on the amount of election-related activity. The resources that we must devote to election coverage is directly related to the number of election cases, so we are required to investigate and set our priorities for which relief under the VRA is required from them that are political in nature or for which a remedy under state law is appropriate.
- 10a.1 We cannot readily set targets but can only project based on past experience the number of Section 5 objections that will be litigated. During the early part of this decade, large portions of the Section 5 objections were in redistricting plans; we will not receive large numbers of objections in the early part of the next decade. As the number of objections declines, we will have to devote more resources to the Section 5 objections in some years. The number of objections will vary greatly from year to year, and in a small jurisdiction with a small number of objections, the number of objections may be small. The number of objections will vary greatly from year to year, and in a small jurisdiction with a small number of objections, the number of objections may be small. The number of objections will vary greatly from year to year, and in a small jurisdiction with a small number of objections, the number of objections may be small.
- 17 & 18. While objections are intended to set a small percentage of voting changes that are submitted for review, and while some objections require other actions that others, the Program's attorney-reviewer and Section 5 analysis must through be set to changes that are particularly notable but which would have no effect on the outcome. We thus consider Section 5 objections per attorney-reviewer and Section 5 changes per Section 5 analysis rates to be high in that of 1994 and those proposed for 1996 and 1997.

PERFORMANCE MEASUREMENT TABLE: PRESENTED BY DECISION UNIT

NAME OF DECISION UNIT: EMPLOYMENT LITIGATION		PERFORMANCE TARGETS AND ACTUAL RESULTS									
Type of Indicator	Performance Indicators	1993 Actual	1994 Actual	1995 Target	1995 Actual	1996 Target	1996 Actual	1997 Target	1997 Actual	1998 Target	1998 Actual
Workload/Activity	1. Number of BDOC referrals received	185	195	115	125	125	125	125	125	125	125
	2. Number of right-to-work requests received	2,749	3,587	4,000	4,000	5,000	5,000	5,000	5,000	5,000	5,000
	3. Number of parties or parties investigations commenced	...	...	6	6	6	6	6	6	6	6
	4. Number of BDOC and other agency referrals investigations commenced	...	...	...	...	30	30	30	30	30	30
	5. Number of delinquent cases received	...	...	...	...	13	13	13	13	13	13
	6. Number of respondents and others inquiries received	743	1,029	1,400	1,300	1,500	1,500	1,500	1,500	1,500	1,500
	7. Number of parties or parties cases in active discovery at end of year	...	...	...	...	33	33	33	33	33	33
	8. Number of active investigations of BDOC referrals at end of year	...	...	...	...	16	16	16	16	16	16
	9. Number of cases based on BDOC referrals in active discovery at end of year	...	...	...	...	5	5	5	5	5	5
	10. Number of parties or parties cases in Stage 1 discovery at end of year	...	...	...	...	10	10	10	10	10	10
	11. Number of parties or parties cases in Stage 2 pending at end of year	...	...	...	...	12	12	12	12	12	12
	12. Number of delinquent cases pending at end of year	...	...	...	...	11	11	11	11	11	11
	13. Number of cases based upon BDOC referrals commenced	11	9	9	11	10	10	10	10	10	10
	14. Number of parties or parties referrals commenced	6	10	...	5	6	6	6	6	6	6
	15. Number of cases based on active safety standard	...	...	...	79	75	75	75	75	75	75
	16. Number of right-to-work letters issued	...	...	...	...	...	...	...	...	...	...
	17. Number of responses made to consolidated mail and return legislative	2,200	2,200	3,000	3,000	4,000	4,000	4,000	4,000	4,000	4,000
	18. Number of cases based on active safety standard	303	1,093	1,000	1,000	1,000	1,000	1,000	1,000	1,000	1,000
	19. Number of cases based on active safety standard	...	...	...	...	15	15	15	15	15	15
	20. Number of cases based upon BDOC referrals	...	...	...	...	7	7	7	7	7	7

NAME OF DECISION UNIT: EMPLOYMENT LITIGATION									
PERFORMANCE INDICATOR INFORMATION		PERFORMANCE TARGETS AND ACTUAL RESULTS							
Type of Indicator	Performance Indicators	1993 Actual	1994 Actual	1995 Target	1995 Actual	1996 Target	1997 Target		
Intermediate Outcomes	20. Number of parties or parties who	...	...	...	4	5	5		
	21. Number of parties or parties who approved in prior final years to	...	...	...	7	5	5		
	22. Percentage of investigations which lead to litigation	...	...	...	...	75%	75%		
	23. Percentage of right-to-work issues resolved within 90 days of receipt of charge from MRDC	...	...	...	...	90%	90%		
End Outcomes	24. Percentage of investigations based on MRDC referrals completed within 12 months of referral	...	...	...	...	90%	90%		
	25. Number of current charges and out of court settlements obtained	15	18	...	18	14	14		
	26. Number of court orders (other than consent decrees) obtained	5	5	...	5	6	6		
	27. Monetary relief obtained for victims of discrimination	\$77,000	\$9,500	...	\$9,500	\$20,000	\$20,000		
Priority/Significance	28. Number of victims receiving monetary relief	...	...	...	307	N/A	N/A		
	29. Percentage of issues resolved by entry of a favorable court order	...	...	...	100%	95%	95%		

<p>A. Definitions of Terms or Explanations for Indicators:</p>	<p>81 Pursuant to Section 706 of Title VII of the Civil Rights Act of 1964, as amended, the Equal Employment Opportunity Commission (EEOC) refers to the Department of Justice charges of discrimination against state and local governments that it believes are worthy of litigation.</p> <p>82 Title VII requires that charging parties receive notices of right-to-sue before commencing private litigation. The Employment Litigation Program is responsible for issuing such letters when the charge involves a state or local government employer.</p> <p>83 Patterns or practice investigations refer to the Attorney General's self-starting authority set forth in section 706 of Title VII. Included are both preliminary investigations and investigations formally conducted by the EEOC.</p> <p>84 Not all EEOC referrals are investigated. Therefore, the numbers of EEOC referrals received and investigated will not be identical.</p> <p>85 Stage I refers to the liability stage of litigation.</p> <p>86 Stage II refers to the stage of litigation whereby victims of discrimination are identified and the make-whole relief to which they are entitled is determined. Fiscal year.</p> <p>87 Represents monetary relief obtained in decrees agreed to during fiscal year.</p> <p>88 Represents estimated number of victims who will receive monetary relief under decrees agreed to during the fiscal year.</p>
<p>B. Factors Affecting FY 93 Program Performance:</p>	<p>81 In FY 1993 the program received 286 more referrals of individual charges of discrimination from the EEOC over FY 1994. The program has no control over the number of such referrals that are received from the EEOC.</p> <p>82 FY 1995 witnessed a 10% increase in the number of request for notices of right-to-sue over what was anticipated. As noted in the text, the program has no control over the number of such requests.</p> <p>83 The program has no control over the number of defensive cases that are filed and which it has a statutory obligation to defend.</p> <p>84 Because of the increased number of requests, the program issued more than 216 more notices of right-to-sue than it had anticipated.</p>
<p>C. Factors Affecting Solicitors' of FY 96 and 97 Targets:</p>	<p>The program's ability to investigate and litigate violations of Title VII will be affected by the number and complexity of the defensive cases it handles. As noted in the text, the program has no control over the number of such requests. Defending these and other defensive cases requires the program to divert its resources from Title VII as well as the number of Title VII investigations commenced and completed, as well as the number of Title VII suits initiated will be inversely correlated to the amount of defensive litigation that is extant.</p>

PERFORMANCE MEASUREMENT TABLE PRESENTED BY DECISION UNIT

NAME OF DECISION UNIT, COORDINATION AND REVIEW CODE		PERFORMANCE TARGETS AND ACTUAL RESULTS					
PERFORMANCE INDICATOR INFORMATION		1993 Actual	1994 Actual	1995 Target	1995 Actual	1996 Target	1997 Target
Type of Indicator	Performance Indicators (All indicators refer to activity under Title VI, Title IX and related activities)						
Input	1. Complaints against DOJ recipients received 2. Chinese correspondence and non-DOJ complaints received 3. Agency requests for training received 4. Agency documents received for E.O. 12230 review 5. Agency requests for technical assistance/legal opinions received 6. New or revised agency regulations submitted for E.O. 12230 review	NA	NA	NA	62	250	300
		NA	NA	NA	1078	1832	2040
		NA	NA	NA	17	20	20
		NA	NA	NA	6	20	25
		NA	NA	NA	25	50	100
		NA	NA	NA	2	5	30

Output/ Activity	7. Issuance of the Civil Rights Forum	NA	NA	NA	2	4	4
	8. Agency coordination/program performance meetings held	NA	NA	NA	25	35	33
	9. Agency training sessions conducted	NA	NA	NA	17	20	20
	10. Technical assistance/legal opinions responses sent/delivered	NA	NA	NA	25	50	100
	11. "Clearinghouse" referrals of complaints & correspondence to other agencies	NA	NA	NA	105	180	240
	12. Agency documents reviewed	NA	NA	NA	6	13	13
	13. Agency regulations reviewed	NA	NA	NA	1	5	20
	14. DOJ complaint investigations closed	NA	NA	NA	20	200	250
	15. DOJ compliance reviews completed	NA	NA	NA	NA	1	1
	16. Interagency surveys completed	NA	NA	NA	NA	1	1
Intermediate Outcome	17. Percentage of agency training requests fulfilled	NA	NA	NA	100%	100%	100%
	18. Percentage of technical assistance/legal opinion requests responded to with services or letter	NA	NA	NA	100%	100%	100%
	19. Responses to citizen correspondence and referrals to agencies completed within 30 days	NA	NA	NA	90%	70%	60%
	20. Percentage of open complaint investigations closed	NA	NA	NA	32%	68%	37%
End Outcome	21. Federal agency personnel trained to more effectively enforce civil rights statutes	NA	NA	NA	500	600	600
	22. Government staff, citizens, and other groups and individuals informed of legal and programmatic addresses/policies/problems	NA	NA	NA	10,000	20,000	20,000
	23. Beneficiaries and recipients informed of rights and obligations under law	NA	NA	NA	10,000	20,000	20,000

PERFORMANCE MEASUREMENT TABLE: PRESENTED BY DECISION UNIT

NAME OF DECISION UNIT: Housing and Civil Enforcement									
PERFORMANCE INDICATOR INFORMATION		PERFORMANCE TARGETS AND ACTUAL RESULTS							
Type of Indicator	Performance Indicators	1993 Actual	1994 Actual	1995 Target	1995 Actual	1996 Target	1997 Target		
Input	1. HUD Referrals a. Eviction b. Prompt Judicial Action c. Zoning 2. Referrals from Bank Regulatory Agencies	121	191	190	136	140	140		
		92	155	160	120	120	120		
		16	13	13	6	10	10		
		13	23	13	10	10	10		
		...	...	...	11	10	10		

Output/ Activity	103	155	195	114-	120	120
3. Non-Discretionary Case Filings						
a. HUD Election	92	130	180	112	115	115
b. HUD Prompt Judicial Action	8	3	12	2	4	4
c. Defensive Cases	3	2	3	-	1	1
4. Discretionary Case Filings	27	39	70	19	40	40
a. Pattern or Practice/Zoning Housing Cases	19	26	58	15	33	33
1. Testing Pattern or Practice	7	11	35	10	15	15
2. Fair Lending Pattern or Practice	-	4	8	1	5	5
3. Insurance Pattern or Practice	-	-	2	1	1	1
4. Zoning	1	3	5	1	2	2
5. Other Pattern or Practice	11	8	8	2	10	10
b. Analysis Order or Intervention in Housing Cases	6	9	9	3	4	4
c. Public Accommodations Cases	2	4	3	1	3	3
5. Number of Election Cases Referred to U.S. Attorneys	-	66	130	87	90	90
6. Testing						
a. Number of Sites Tested	-	-	-	247	250	250
b. Number of Tests	-	-	-	300	300	300
7. Number of Trials/Hearings	-	-	-	5	5	5
a. Trials on the Merits	-	-	-	46	35	35
b. Other Hearings (discovery, summary judgment, etc.)	-	-	-	17	10	10
8. Investigations Conducted	-	-	-	29	25	25
Intermediary Outcome	-	-	-	234	24	24

Final Outcome	9. Number of Case Resolutions	145	125	130	130
	a. HUD Non-Discretionary Cases				
	1. Consent Decree or Other Settlement Agreements in Election Cases	120	100	100	100
	2. Trials in Election Cases	105	84	90	90
	3. Other Litigated Judgments (summary judgments, prompt judicial action)	10	13	5	5
	b. Petition or Practice Cases	5	3	5	5
	1. Consent Decree or Other Settlement Agreements	20	24	30	30
	2. Trials	14	20	22	22
	3. Other Litigated Judgments (summary judgments)	3	2	4	4
	c. Amicus Curiae Cases	3	2	4	4
	10. Total Monetary Relief	5	1	3	3
		\$20 million	\$24,026 million	\$10 million	\$10 million
	a. HUD Election Cases				
	b. Petition or Practice/Zoning Cases: Total Award/Amount of Civil Penalty (no targets)		\$148 million		
			\$22,346 million		
Productivity/ Efficiency					

<p>A. Definitions of Terms or Explanations for Indicators: 1. In the latest category the number of election and prompt judicial action referrals has been slightly greater than the cases filed (which is listed under prompt category of nondiscriminatory filings); this is because although such filings are required to be filed by states, there are occasions when we actually do not file (e.g., when the case arises before filing in court and when newly discovered evidence indicates the referral should be returned to HUD for reconsideration). 2. Investigations are defined as matters opened and requiring investigative activity by an attorney and/or paralegal. 3. Category 4(QSD) refers to "other pattern or practice" cases. This number includes the important pattern or practice cases filed by the Program that do fall into one of the priority categories listed before them, i.e., testing, fair lending, insurance or testing. For instance in 1995, the Program initiated important cases against the Village of Addison, Illinois alleging discrimination against Hispanics in the Village's urban renewal program, and against Hatch, New Mexico, alleging discrimination against Hispanics in their land use regulations. It is important to note that this category also includes in its count several additional cases which are filed as election cases alleging individual acts of discrimination, which are subsequently expanded to include pattern or practice allegations through the filing of an amended complaint after discovery of evidence indicating a broad pattern or policy of discrimination by the defendant. In other words, there are other pattern or practice cases being initiated through amending the election cases which are not captured by this category. 4. We have made one modification to Category 7, which now lists "Other Hearings" as opposed to "Prompt Judicial Action Hearings." The broader "Other Hearings" which includes prompt judicial action hearings as well as other court hearings and on such matters as summary judgment and discovery motions, is a more accurate indicator of Output/Activity.</p>	<p>B. Factors Affecting FY 96 Program Performance: 1. The recent case filings for 1995 have fallen below the projected targets made last year. This is due to the following factors: (a) the number of HUD referrals of nondiscriminatory cases was off considerably from 1994, thus having a direct impact on the number of such case filings. We believe this was due to a reorganization at HUD in the past year, and because more cases have adapted substantially equivalent fair housing laws with the result that there is likely to be fewer complaints processed by HUD; (b) our recent experience in developing and litigating the discriminatory pattern or practice cases in the testing, lending and insurance areas has indicated that they require considerably more resources than previously estimated and thus our previous projections for this kind of case filing were too ambitious; (c) the number of pattern or practice and other discriminatory case filings was affected by the number of pending cases that have to be litigated; in other words, the amount of resources which must be devoted to litigation and trials will often affect the number of new case filings — the greater the amount of litigation the less time can be devoted to developing new cases and filing them. In 1995 the number of trials conducted was more than double that number in 1994, thus requiring us to devote a much greater amount of resources to litigation and fewer resources to the development and filing of new discriminatory cases. 2. The amount of necessary relief in 1995 was a record high; this figure was affected in part by one settlement of \$16.5 million in the property insurance area. Because our settlement of this magnitude is not always predictable, it is difficult to accurately predict this figure in advance.</p>	<p>C. Factors Affecting Selection of FY 96 and 97 Targets: As discussed in B(1), above, we expect a lower level of HUD referrals in the future because of the recent pattern of such referrals. In addition, our experience with the complex pattern or practice cases, especially in the testing, mortgage lending and insurance cases, has indicated that earlier projections were overly ambitious. Accordingly, we have lowered our 1996 and 1997 projections somewhat. However, because we expect fewer trials in 1996 than 1995 and because some resources have been freed up as a result of participation of U.S. Attorney's offices in the handling of many of the nondiscriminatory fair housing cases, we expect to increase our discriminatory filings in 1996 and 1997.</p>
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PERFORMANCE MEASUREMENT TABLE: EDUCATIONAL OPPORTUNITIES LITIGATION SECTION

NAME OF DECISION UNIT: EDUCATIONAL OPPORTUNITIES LITIGATION SECTION							
PERFORMANCE INDICATOR INFORMATION		PERFORMANCE TARGETS AND ACTUAL RESULTS					
Type of Indicator		1993 Actual	1994 Actual	1995 Target	1996 Actual	1997 Target	
Workload/Activity	Performance Indicators						
	1. Number of Cases Pending			218	216	211	
	2. Number of School Districts Involved in Cases			514	511	504	
	a. Assigned to Attorney			156	189	204	
	b. Assigned to the Compliance Monitoring Unit (CMU)			358	322	300	
	3. Number of Complaints Received			414	430	480	
	a. Chinese/Community Groups			305	330	380	
	b. Congressional Referrals			108	120	100	
	4. Number of Matters Received			6	7	8	
	5. Number of OCR Referrals Received						
	a. Title VI			1	2	3	
	b. Title IX			0	1	2	
	c. SN			0	1	2	
	d. ADA			0	1	2	
	6. Number of Compliance Reports Received						
	7. Number of Modification Proposals Received				145	155	200
	a. Major						
	b. Minor						
	8. Number of Utility Status Inquiries Received				11	15	17
	a. Motions				6	8	10
	b. Letters				4	6	8
	c. Short Cases Only				0	3	2
9. Letters of Finding from OCR				4	2	5	
a. Investigation Initiated of DOJ Case				1	2	3	

End Outcome	23. Number of School Districts Administratively Closed	25	45	55
	26. Number of Cases Declared Unfair and Dismissed	2	7	11
	27. Number of School Districts Affected	3	7	15
	27. Number of School Districts Affected by Favorable Judgments/Consent Decrees/Agreements	10	20	30
	a. Schools Involved	100	200	300
	b. Students Involved	300,000	600,000	900,000
Predictability/ Efficiency	28. Percentage of staff time devoted to non-discretionary matters in existing cases	90%	80%	70%
	29. Percentage of staff time devoted to new cases and discretionary matters in existing cases	10%	20%	30%
A. Definitions of Terms or Explanations for Indicators:				
#4. Matter refers to any correspondence given a DJ number; however, the school district involved is not operating under a desegregation order to which the United States is a party. Also, the issue(s) involved has the potential to generate a new case.				
#12(b) Most of these matters were administratively closed in prior years; however, they were not officially closed until 1995. We normally do not close this many matters in a given period.				
#15. The bulk of our workload - in addition to the higher education cases - involves enforcement activities seeking compliance with extant desegregation orders and/or supplemental relief under those plans. Case activity necessary to obtain compliance with the existing court order and/or supplemental relief is prosecuted in the same manner as "type" litigation; and, thus, for 1996 and 1997 will be counted as such.				
#21. A "favorable decision" is a decision by the court which affirms the position advocated by the United States.				
#25. A school district is "administratively closed" when the review of the report to the court over a five (5) year period has reflected no significant problems in the district.				
#28. "Non-discretionary matters" involve (i) monitoring, reacting to complaints, investigating violations, and responding to motions filed in existing traditional race cases; and, (ii) handling the complex higher education and gender discrimination cases.				
#29. "Discretionary matters" include focusing on violations that deny (i) educational quality to minority students; and, (ii) equal educational opportunities to women, language minorities, and students with disabilities.				
B. Factors Affecting FY 96 Program Performance:				
C. Factors Affecting Selection of FY 96 and 97 Targets:				

Depends on indicator covering a requested 1997 program change. A performance indicator and target must be set for the results that will be achieved should resources be received.

A. Definitions of Terms or Explanations for Indicators:

The Program (formerly the Public Access Program) began enforcing the Americans with Disabilities Act (ADA) in 1992 (its effective date was January 26, 1992). The Program also initiated its statutory mandated technical assistance and certification activities at that time. Until March 1, 1995, the Program handled and resolved (informally or through litigation) investigations only under Title III (Private entities, nonemployment issues) and Title II (State and local governments). On that date the Program became responsible for investigating Title II complaints and litigating Title I (employment) charges against State and local governments. In addition, on March 1, 1995, the Program became responsible for issuing regulations to implement Titles II and III of the ADA, representing the Department as a member of the U.S. Architectural and Transportation Barriers Compliance Board, coordinating the implementation of Title II by the seven designated agencies and coordinating the government-wide implementation of Section 504 of the Rehabilitation Act of 1973 pursuant to E.O. 12,250 to coordinate the implementation of Section 504 of the Rehabilitation Act of 1973.

The input, output, and outcome figures for the 1995 estimate, actual, and lines years reflect the March 1, 1995, reorganization. The 1995 target figures and earlier years do not include any Title I or II complaints. Lines 2, 10, and 18C numbers for 1993 and 1994 are corrected from previous submissions to exclude Title I and II complaints mistakenly counted to reflect the reorganization.

Lines 1 & 9: Cases include those court actions in which the Program participates as plaintiff, plaintiff-intervenor, or amicus, including cases in which the U.S. defends the constitutionality of the ADA. It does not include cases in which the Program's participation is limited to an appeal recommendation.

Line 3: New complaints-charges include complaints made under Title III for the full 1993 and new complaints and transferred complaints under Titles I and II beginning March 1, 1995.

Line 4: "Certification Requests" includes requests from state or local government officials for certification that a state or local accessibility code is equivalent to the ADA requirements; requests for informal review of proposed state or local codes; and requests for review of private sector model codes. This category includes requests pending at the start of the fiscal year and those received during the year. Targets for 1995 and 1997 have been revised to reflect actual experience.

Line 5: "Coordination Requests" projects requests for legal review of regulations and other policy documents implementing the ADA or the Rehabilitation Act that involve other Federal agencies, Federal agency requests for training on disability rights issues, and coordination activity arising from the Program's role as the Department representative on the Access Board. These responsibilities were assigned to the Program on March 1, 1995. Activity for 1993 is based on a seven-month period.

Line 6: "Technical Assistance (TA) Requests" includes calls to the ADA Information Line, written requests for technical assistance and documents, built orders for TA documents, requests for ADA speakers, inquiries from Congressional staff, and requests for pre-publication review of ADA documents developed by grantees and other agencies to ensure legal accuracy.

Line 7: "TA Grant Requests" includes applications received in response to the annual solicitation published in the Federal Register as well as unsolicited requests for assistance.

Line 8: "Mediation Referrals" reflects activity undertaken by the Program through technical assistance grants to private organizations. One grant began in 1994 and continues through 1995; a second grant was initiated in 1995 and is expected to continue through 1996.

Line 11: "Regulations and Coordination Activity" includes responses to requests for legal review of proposed regulations and other policy documents implementing the ADA or the Rehabilitation Act identified in line 5 plus regulations and documents generated by the Program.

Line 12:	"Telephone Service-Hours" is the number of hours of staffed on-line service provided annually through the ADA Information Line. (This figure does not include the 24-hour per day recorded information and voice mail service for ordering documents.) The ADA Information Line was converted to toll-free "800" service in March 1994 and the number of service-hours has increased four-fold over 1992.
Line 13:	"ADA Training/Speakers/Exhibitors" is the number of training and speaking engagements conducted and the number of conferences where Program representatives staff an exhibit to answer questions about the ADA and provide TA documents to the conference participants.
Line 14:	"TA Documents/Materials Developed or Reviewed" includes DOJ-produced materials and pre-publication review of materials developed by grantees and other agencies to ensure legal and technical accuracy.
Line 15:	"TA Information and Documents Disseminated" includes informational materials (3.9 million in 1993) and substantive technical assistance documents (1.6 million in 1993) disseminated by the Program and its grantees or downloaded from the Program's electronic bulletin board and the Internet.
Line 16A:	"TA Grant Awards" includes new grants and continuation awards to trade associations and other organizations that target ADA information, education, and technical assistance to specific types of businesses, State and local governments, and other audiences.
Line 16B:	"Total Grants Monitored" includes those in which corrective action is obtained without a formal agreement (informal assistance); those closed through written but not-of-court assistance (formal assistance); those settled through consent decrees approved by the court; favorable judgments (those in which the government or the government's parties provided substantiality); unfavorable judgments; and, other findings. (Judgments include those on appeal.) "Other Findings" includes information of investigation for a variety of reasons: no jurisdiction, findings of no violation or inconclusive findings; and, matters that do not warrant federal enforcement action.
Line 18:	"Certification Decisions" includes formal certification determinations and analyses of model or proposed codes. Analyses of model codes were counted as "technical assistance" responses in prior years. The Program has determined that it is more appropriate to classify these determinations as final decisions. These "certification decisions" do not include inactive technical assistance responses to their request.
Line 19:	"Regulations and Policy Documents Issued" includes regulations and policy documents issued by the Department, including those that result from the Program's role in the Department representative on the Access Board. It does not include regulations or policy documents issued by other agencies after Program review. These regulations were assigned to the Program on March 1, 1995. Figures for 1995 are based on a seven-month period.
Line 20:	"Cumulative Body of TA Documents Developed" includes all technical assistance documents and videotapes produced by the Program and by grantees through the end of fiscal year.
Line 21:	"TA Documents Available on Request" consists of documents developed by the Program. Documents are made available to the public in standard print as well as in large print, braille, audio, and computer disk to accommodate persons with disabilities. They are also available on Internet and electronic bulletin board. Grants-produced materials are made available in 15000 public libraries and through special mailings.
Line 22:	"Number of People Receiving Technical Assistance" includes people receiving answers to questions through phone calls or letters; people receiving substantive technical assistance documents; people attending ADA training and speaking engagements; and people receiving ADA technical assistance through the TA grants. These figures reflect substantive technical assistance activities but do not include the 2.9 - 6.3 million informational materials disseminated each year by the Program or similar materials disseminated by grantees to promote awareness of the ADA and available resources.
Line 23:	This number is derived by dividing the sum of lines 2 and 3 by the number of attorneys assigned for investigations/negotiation.
Line 24:	"Certification Response" percentage reflects the rate of completion of requests pending during the fiscal year.
Line 25:	"People Receiving TA Per TA Staff Person" reflects the number of people receiving technical assistance (line 23) divided by the number of TA professional and support staff.

B. Factors affecting FY 95 Program Performance:	
Line 4:	"Certification Requests." Targets for were anticipated that several states that are revising their accessibility codes to be consistent with the ADA would complete that process in 1995. Many of those code revisions are still in progress, therefore new requests were below the target number.
Line 6:	Target was projected based on six months of data and the upward trend in the number of calls to the ADA Information Line after conversion to toll-free "800" service.
Line 8:	"Modification Referrals." The Program experienced a substantial increase in activity over the 1994 level because of the addition of a second grant program with significantly broader scope than the initial grant.
Line 12:	The 1994 investment in staff, equipment, and on-going ADA training resulted in greater customer service on the ADA Information Line. The Program provided almost five times as many hours of telephone service in 1995 as in 1993. Quality of customer service was improved by the installation of a system that allows the supervisor to monitor the accuracy of information provided and to bring additional staff on-line to respond to waiting calls. The average call length was 7.5 minutes and the wait time to talk to a Specialist decreased to 1.5 minutes. The Line was also converted to toll-free "800" service.
Line 18:	"Certification Divisions." The original target of 13 certification and informed review (technical assistance) divisions was not met due to the implementation of a policy change. The Program has decided that, rather than merely denying certification to those codes that failed to meet the ADA Standards, the Program will pursue the ultimate goal of achieving a certified code by providing the requesting authority with a complete analysis of the relevant code and substantial technical assistance on how to bring the code into compliance. This approach will result in the significant reduction in the number of requests for technical assistance on any code that does not initially meet the ADA requirements to bring final determination can be made in each fiscal year. The Program anticipates, however, that the ultimate result of this policy will be a greater number of certified accessibility codes.
Lines 20 & 21:	The investment made to develop technical assistance documents (fact-books and through grants since 1991) has resulted in a substantial body of materials targeted toward a variety of businesses and government agencies. By the end of 1995, 142 documents and videotapes were developed, of which 123 were developed by grantees.

C. Factors Affecting Selection of FY 96 and 97 Targets.	
Notes: The Program's potential endorsement impact tripled in March 1995, but the endorsement staff increased only by approximately 25%. In order to focus our endorsement efforts more effectively, we are filling cases with greater potential impact and not opening some less significant matters.	
We will be referring more Title II matters to other agencies and DOJ components rather than investigating them ourselves beginning with 1996, but at the same time receiving more Title I referrals from EEOC due to recent changes in that agency's referral policies. Early in 1996, the program hopes to clear up a significant number of Title II complaints that were pending at the time of the reorganization and to begin some new Title II investigations.	
Line 8:	"Mediation Referrals." In 1995, training of all staffers was completed and the Program anticipates that referrals will decrease in 1996. Targets for 1997 are based on the hypothesis that there will be continued leveling for a grant program in this area.
Line 11A:	"Responses to Constitution Requests." This function is largely reactive. It implements the Program's obligation to provide legal advice as needed by other agencies. The targets for 1996 and 1997 assume that requests from other agencies will continue at a rate comparable to that experienced in 1995.
Line 13:	Projections for 1996 and 1997 reflect an anticipated reduction in the number of calls requesting information from the ADA Information Line.
Line 18:	"Certification Decisions." Output is projected to increase in 1996 and 1997 due to increased experience of Program staff and increased knowledge of the ADA requirements among covered entities.
Line 19:	"Regulations and Policy Documents Issued." Targets for 1996 and 1997 are based on the U.S. Architectural and Transportation Barriers Compliance Board plans to revise the ADA Accessibility Guidelines. Because the ADA implementing regulations are required to be consistent with the ADA Accessibility Guidelines, each revision triggers a corresponding change in the Department's regulations.
Line 21:	The projections reflect anticipated increases in productivity and efficiency due to additional contract personnel who will be able to handle routine investigations and informal settlements with minimal attorney supervision.
Line 25:	Outcomes as indicated covering a requested 1997 program change. A performance indicator and target must be set for the results that will be achieved should resources be received.

PERFORMANCE MEASUREMENT TABLE: PREPARED BY INSPECTOR GENERAL

NAME OF RECEIVING UNIT, Office of Special Counsel (OSC)		PERFORMANCE MEASUREMENT INFORMATION									
Type of Indicator/Activity	Performance Indicators	1977 Actual				1978 Actual				1979 Target	
		1977 Actual	1978 Actual	1979 Actual	1979 Target	1977 Actual	1978 Actual	1979 Actual	1979 Target	1979 Actual	1979 Target
Inputs	1. Number of Charges Received	616	694	694	694	616	694	694	694	616	694
	2. Number of "Actionable" Charges	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A
	3. Number of Independent Investigations Initiated	39	63	63	63	39	63	63	63	39	63
	4. Number of Requests for Information Received	310	330	330	330	310	330	330	330	310	330
	5. Number of Requests for Public Outreach Received	115	64	64	64	115	64	64	64	115	64
	6. Number of Worker Hotline Calls	3,000	3,000	3,000	3,000	3,000	3,000	3,000	3,000	3,000	3,000
	7. Number of Employer Hotline Calls	N/A	7,000	7,000	7,000	N/A	7,000	7,000	7,000	N/A	7,000
Outputs	8. Number of Air Complaints Filed as a Result of:	N/A	32	32	32	N/A	32	32	32	N/A	32
	a. Charges	N/A	32	32	32	N/A	32	32	32	N/A	32
	b. Independent Investigations	N/A	32	32	32	N/A	32	32	32	N/A	32
	9. Number of Requests for Information Filled:	300/	330/	330/	330/	300/	330/	330/	330/	300/	330/
	10. Public Outreach Provided By:	100/	100/	100/	100/	100/	100/	100/	100/	100/	100/
	a. OSC Attorneys	100/	100/	100/	100/	100/	100/	100/	100/	100/	100/
	b. OSC Consultants	1,000	2,000	2,000	2,000	1,000	2,000	2,000	2,000	1,000	2,000
	c. National Contractor	3,000	3,000	3,000	3,000	3,000	3,000	3,000	3,000	3,000	3,000

Thousand-Dollars Between	11. Settlement of Charges a. Pre-Complaint b. Post-Complaint	M/A M/A	M/A M/A	M/A M/A	M/A M/A	27 7	30 6	34 9
	12. Settlement of Independent Investigations a. Pre-Complaint b. Post-Complaint	M/A M/A	M/A M/A	M/A M/A	M/A M/A	5 3	7 3	9 4
	13. Number of Cases Litigated a. Charges b. Independent Investigations c. Orders on Appeal	M/A M/A M/A	1 M/A 1	M/A M/A M/A	M/A M/A M/A	1 1 3	2 2 4	3 2 4
End Between	14. Number of Cases Resolved Within 120 Days 15. Amount of Bailout Received for Mothers (in thousands of dollars) a. Number of Mothers Who Received Bailout 16. Amount of Civil Penalties Assessed (in thousands of dollars) a. Number of Employers Who Were Fined 17. Number of Mothers Hired/Reinstated 18. Telephone Interventions a. Individuals b. Bottom of Practice	M/A \$120 M/A \$150 M/A M/A M/A M/A M/A M/A	M/A \$807 M/A \$175 M/A 47 M/A M/A M/A M/A M/A	M/A M/A M/A M/A M/A M/A M/A M/A M/A M/A	M/A M/A M/A M/A M/A M/A M/A M/A M/A M/A	72 777 30 \$290 39 M/A M/A M/A M/A M/A M/A	94 \$100 39 \$250 27 M/A M/A M/A M/A M/A M/A	100 \$100 44 \$250 63 M/A M/A M/A M/A M/A M/A
A. Definitions of Terms or Explanations for Indicators								

Note: "N/A" indicates that data is currently not available for the particular indicator and/or year. Prior to OGC's merger with the Civil Rights Division in 1994, OGC did not have a sophisticated case management system. Thus, only the most basic data is available for FY 1993 and FY 1994.

The number of charges that OGC received in 1976 reflected a decrease from the previous civil year. We believe this is due to three primary reasons: 1) the charges are not contingent on management effects that have produced recent civil penalties and employee complaints; 2) the charges are not contingent on the number of employees in the agency; and 3) the charges are not contingent on the number of employees in the agency. The number of charges that OGC received in 1976 reflected a decrease from the previous civil year. We believe this is due to three primary reasons: 1) the charges are not contingent on management effects that have produced recent civil penalties and employee complaints; 2) the charges are not contingent on the number of employees in the agency; and 3) the charges are not contingent on the number of employees in the agency.

6. Further Attention Allocation of FY 14 and FY 15 Budgets.

The data shown is derived from OGC's cost management system and calculations from the most recent budget. The estimates are calculated as an approximation of the increase for your based on prior history and experience. Also factored into the estimates are OGC's expectations regarding demographics, anti-indigenous sentiment, and the participation of our target population.

Note: OGC appeals are now conducted by the Appeals Forum

Civil Rights Division
Salaries and Expenses
Financial Analysis - Program Changes
(Dollars in Thousands)

Item	Civil Rights Prosecution		Disability Rights		Restoration of Base Level Resources		Total	
	Pos.	Amount	Pos.	Amount	Pos.	Amount	Pos.	Amount
Grades GS-13.....	3	165	...	...	...	...	3	165
Total Positions & Annual Rate.....	3	165	...	...	...	...	3	165
Leave (1).....	(1)	(82)	...	...	...	...	(1)	(82)
Payroll Increase.....	...	...	...	...	...	...	...	0
Total Workyears and Personnel Compensation.....	2	83	...	...	...	...	2	83
Personnel Benefits.....	1	25	...	...	...	...	...	25
Travel & Transportation.....	...	13	...	9	...	450	...	472
GSA Rent.....	...	15	...	21	...	353	...	369
Other rent, communications & utilities.....	...	6	...	9	...	400	...	415
Printing and reproduction.....	...	3	...	4	...	225	...	232
Other services.....	...	97	...	289	...	1,190	...	1,546
Supplies and materials.....	...	2	...	3	...	85	...	90
Equipment.....	...	32	...	46	...	75	...	153
Total program workyears & obligations changes requested, 1997.....	2	276	...	361	...	2,758	2	3,395

Civil Rights Division
Salaries and Expenses
Priority Ranking
Fiscal Year 1987

BASE PROGRAM		PROGRAM INCREASES	
Program	Ranking	Program	Ranking
Voting Rights	1	Civil Rights Prosecution	1
Civil Rights Prosecution	2	Criminal Police Misconduct and Hate Crimes	2
Disability Rights	3	ADA Investigative Support	3
Housing & Civil Enforcement	4	Multi-Activity Program Change	
Educational Opportunities	5	Restoration of Base Resources	
Special Litigation	6		
Employment Litigation	7		
Office of Special Counsel	8		
Coordination and Review	9		
Federal Appellate Activity	10		
Management & Administration	11		

Child Welfare Division
 Services and resources
 Detail of Personnel Positions
 Fiscal Year 1964-1967

Category	1964		1965		1966		1967	
	Author- ized	Reim- burable	Auth.	Reimb.	Auth.	Reimb.	Auth.	Reimb.
Adoptive (600).....	244	5	244	5	237	5	237	5
Protective Services (602).....	46	...	46	...	46	...	46	...
Other (Adopt and Shared) (603-609).....	10	...	10	...	10	...	10	...
Social Services, Economic, and Medical (100-199).....	23	...	23	...	23	...	23	...
General Adult, Child and Office Services (200-399).....	179	1	171	1	171	1	171	1
Adopting and Return (400-599).....	5	...	5	...	5	...	5	...
Information and Adv Group (1000-1009).....	3	...	3	...	3	...	3	...
Medicine and Statistics Group (1500-1599).....	2	...	2	...	2	...	2	...
General Investigation (1600-1619).....	4	...	4	...	4	...	4	...
Total.....	643	9	637	9	637	9	637	9
Work Year.....	643	9	637	9	637	9	637	9
Total.....	643	9	637	9	637	9	637	9
1964 Unfilled Positions								
Supervisor.....	70	...	72	...	70	...	70	...
Protective Services.....	4	...	4	...	4	...	4	...
Budget Specialist.....	4	...	4	...	4	...	4	...
Accounting and Auditors.....	2	...	2	...	2	...	2	...
Acquisition Specialist.....	2	...	2	...	2	...	2	...
Headquarters Staff.....	20	...	20	...	20	...	20	...

[illegible][illegible]

Civil Rights Division
Salaries and expenses
Summary of Change
(Dollars in thousands)

	Perm. Pos.	Work- Years	Amount
1996 Conference Allowance.....	557	579	662,546
1996 Appropriation Anticipated.....	557	579	662,546
Adjustments to base:			
Transfers to and from other accounts:			
Mail management.....	...	...	-47
Total, transfers.....	...	...	-47
Increases:			
Annualization of 1996 pay raise.....	...	...	310
Annualization of 1996 locality pay.....	...	...	121
1997 pay raise & locality pay adjustment.....	...	...	504
Within-grade increases.....	...	...	417
Travel Mile Allowance rate.....	...	...	4
General Services Administration (GSA) rent.....	...	...	1,465
General Services Administration (GSA) rent.....	...	...	392
General Services Administration (GSA) rent.....	...	...	128
Increase in Litigation Support contract.....	...	...	3,465
Total, increases.....	...	...	5,765
Decreases:			
General Services Administration (GSA) rent.....	...	...	-38
Financial Operations Staff (FOS).....	...	...	-127
Total, decreases.....	...	...	-165
1997 base.....	557	579	66,073
Program Changes.....	...	...	-2
1997 Estimate.....	560	581	69,468

Civil Rights Division
Salaries and expenses
Summary of adjustments by Grade and Object Class
(Dollars in thousands)

Grades and salary ranges	1996 Actual		1996 Estimate		1997 Request		Increase/Decrease	
	Positions & Workyears	Amount	Positions & Workyears	Amount	Positions & Workyears	Amount	Positions & Workyears	Amount
Executive Level IV, \$115,700.....	1	1	1	1	1	1	1	1
Executive Level V, \$106,200.....	1	1	1	1	1	1	1	1
ES-4, \$109,400.....	7	8	8	8	8	8	8	8
ES-3, \$103,800.....	3	3	3	3	3	3	3	3
ES-2, \$99,300.....	4	6	6	6	6	6	6	6
ES-1, \$94,800.....	4	3	3	3	3	3	3	3
GS/GM-16, \$73,486-94,531.....	169	176	176	176	176	176	176	176
GS/GM-14, \$62,473-81,217.....	57	46	46	46	46	46	46	46
GS/GM-13, \$52,867-68,729.....	58	68	68	68	68	68	68	68
GS-12, \$44,486-57,800.....	41	48	48	48	48	48	48	48
GS-11, \$37,094-44,222.....	87	66	66	66	66	66	66	66
GS-10, \$33,762-44,888.....	8	7	7	7	7	7	7	7
GS-9, \$30,864-39,888.....	26	33	33	33	33	33	33	33
GS-8, \$27,764-32,582.....	36	18	18	18	18	18	18	18
GS-7, \$25,061-32,582.....	68	62	62	62	62	62	62	62
GS-6, \$22,864-29,320.....	12	12	12	12	12	12	12	12
GS-5, \$20,233-26,303.....	11	9	9	9	9	9	9	9
GS-4, \$18,068-23,516.....	2	6	6	6	6	6	6	6
Locality Pay.....	1,876	121	121	121	121	121	121	121
1997 Pay Rates.....	686	30,400	657	31,884	680	34,883	748	3,119
Total, appropriated positions.....	686	30,400	657	31,884	680	34,883	748	3,119
Pay above stated annual rate.....	...	118	...	180	...	187	0	17
Lapses.....	-21	(1,060)	-13	(860)	-14	(700)	(1)	(60)
Savings due to lower pay scales for part of year.....	...	(219)	...	(138)	...	(187)	...	(49)
Net full-time permanent.....	544	29,249	544	31,256	548	34,283	2	3,037
Other than permanent.....	36	2,802	36	2,451	35	2,602	...	151
Other part-time and intermittent employment.....	4	138	4	140	4	140	...	...
Other personnel compensation:	...	402	...	302	...	302	...	...
Overtime.....	...	...	...	...	...	...	...	...
Other compensation.....	...	...	...	...	...	...	...	...
Total, workyears and personnel compensation.....	683	32,391	683	34,149	688	37,337	2	3,188
Average ES Salary.....	...	\$108,817	...	\$107,118	...	\$108,681
Average GS/GM Salary.....	...	\$56,543	...	\$55,700	...	\$61,498
Average GS/GM Grade.....	...	11.6	...	11.6	...	11.6

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**Civil Rights Division
Summary of Expenses
Incurred by Office and Other Costs
(Dollars in thousands)**

	1986 Actual	1986 Estimate	1987 Request	Previous Years Total	Current Year
Other Costs					
11 Other personnel	161	161	161	54,282	54,282
11.1 Other personnel compensation	161	161	161	54,282	54,282
11.2 Other personnel compensation	36	36	36	2,682	2,682
11.3 Other personnel compensation	4	4	4	442	442
11.4 Special personnel services payments	121	121	121	3,116	3,116
Total	322	322	322	57,520	57,520
Publications and equipment					
12 Publications and equipment	42	42	42	1,044	1,044
12.1 Publications and equipment	42	42	42	1,044	1,044
12.2 Publications and equipment	228	228	228	1,044	1,044
12.3 Publications and equipment	6	6	6	1,044	1,044
12.4 Publications and equipment	1,791	1,791	1,791	1,044	1,044
12.5 Publications and equipment	87	87	87	1,044	1,044
12.6 Publications and equipment	7	7	7	1,044	1,044
12.7 Publications and equipment	9,870	9,870	9,870	1,044	1,044
12.8 Publications and equipment	420	420	420	1,044	1,044
12.9 Publications and equipment	880	880	880	1,044	1,044
12.10 Publications and equipment	1,448	1,448	1,448	1,044	1,044
12.11 Publications and equipment	11	11	11	1,044	1,044
12.12 Publications and equipment	62,377	62,377	62,377	1,044	1,044
Total	12,377	12,377	12,377	1,044	1,044
Other objects					
13 Other objects	42	42	42	1,044	1,044
13.1 Other objects	42	42	42	1,044	1,044
13.2 Other objects	228	228	228	1,044	1,044
13.3 Other objects	6	6	6	1,044	1,044
13.4 Other objects	1,791	1,791	1,791	1,044	1,044
13.5 Other objects	87	87	87	1,044	1,044
13.6 Other objects	7	7	7	1,044	1,044
13.7 Other objects	9,870	9,870	9,870	1,044	1,044
13.8 Other objects	420	420	420	1,044	1,044
13.9 Other objects	880	880	880	1,044	1,044
13.10 Other objects	1,448	1,448	1,448	1,044	1,044
13.11 Other objects	11	11	11	1,044	1,044
13.12 Other objects	62,377	62,377	62,377	1,044	1,044
Total	12,377	12,377	12,377	1,044	1,044

**Civil Rights Division
Salaries and Expenses
Justification of Multi-Agency Program Changes
(Dollars in Thousands)**

Budget Activity/Program	Restoration Of Base Level Resources		Total	
	Pos.	Amount	Pos.	Amount
Federal Appellate.....	...	188	...	188
Civil Rights Prosecution.....	...	231	...	231
Special Litigation.....	...	188	...	188
Voting Rights.....	...	318	...	318
Employment Litigation.....	...	288	...	288
Coordination and Review.....	...	153	...	153
Housing and Civil Enforcement.....	...	434	...	434
Educational Opportunities.....	...	156	...	156
Disability Rights.....	...	290	...	290
Office of Special Counsel.....	...	184	...	184
Management and Administration.....	...	347	...	347
Total.....	...	2,716	...	2,716

Restoration of Base Resources: The Department is requesting resources to restore eroded base levels of funding in the General Legal Activities organizations. In 1980, the Department has not been able to provide funds for required payments such as pay raises and inflationary increases.

The Civil Rights Division reduction was applied against all Division programs, impacting all enforcement and litigative efforts. This reduction will dilute the government's ability to prosecute violators of federal crimes in a timely manner (such as Hate Crimes, Freedom of Access to Clinic Entrances Act), handicap the Division's ability to respond to civil actions brought against the United States, impede the Division's ability to pursue enforcement of other Federal laws (such as the Voting Rights Act, Pattern and Practice of Police Misconduct, etc.), and jeopardize the equality of the Division to protect the basic rights of common decency for institutionalized persons.

Department of Justice
United States National Criminal Bureau
Estimates for Fiscal Year 1967

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United States National Central Bureau

Salaries and Expenses

Summary Statement

Fiscal Year 1997

The United States National Central Bureau is requesting, for 1997, a total of \$7,013,000, 82 permanent positions, and 64 work years. This request represents an increase of \$564,000 and no change in positions and work years over the 1996 appropriating anticipated.

The mission of the United States National Central Bureau (USNCB) of the International Criminal Police Organization (INTERPOL) is to provide the communication link between the U.S., Federal, State and local law enforcement community and the 178 member nations of INTERPOL. The INTERPOL mission is to provide criminal police organizations with a vehicle to communicate globally. The USNCB is the central point of contact between the INTERPOL General Secretariat (Headquarters) and the 175 other INTERPOL member nations' police authorities for:

- o Investigative leads and records checks originating in the United States from Federal, State and local law enforcement agencies;
- o Records checks from U.S. Federal law enforcement agency databases including the National Crime Information Center, the Treasury Enforcement Communications System and the National Law Enforcement Telecommunications system for State and local agencies; and
- o Investigative leads and records inquiries originating with the 175 other INTERPOL National Central Bureaus requesting information from U.S. Federal, State or local agencies.

Restoration of resources in order to restore eroded base levels of funding in the General Legal Activities organizations. In 1995, the Department has not been able to provide funds for required payments such as pay raises and inflationary increases. In order to offset these shortfalls, the USNCB had to curtail its electronic workflow project implementation. While the short term impact has been mitigated to a large extent, these result should not be the basis for projecting long term effects.

In accordance with the Attorney General direction, the USNCB has pursued the automation case processing to provide increased productivity and in the long term offset requirements for additional resources. This program will use electronic workflow to exchange and process international and domestic law enforcement information for the USNCB's clients. The first major phase occurred in 1995. The USNCB migrated an obsolete mainframe database application to a current technology LAN based database. In the follow-on phases, the system user interface will be improved and upgraded to streamline operations. It will also be improved to be compliant with security and FOI/PA requirements in order to exchange information with key clients, including the FBI, USMS, DEA, Criminal Division and Treasury agencies. As a result of using these funds to offset shortfalls, the follow-on efforts have been delayed. Funding in the base needs to be restored to provide adequate funding to meet mandatory FOI/PA requirements and add required functionality.

United States National Capital Bureau
Salaries and expenses, General Legal Activities
Comparison of 1985 Changes
(Dollar in thousands)

Activity/Program	1985 Revised President's Budget Request		Congressional Appropriations		Transfer Appropriations Between		Representations		1985 Availability	
	Pos.	Aut.	Pos.	Aut.	Pos.	Aut.	Pos.	Aut.	Pos.	Aut.
USMCS	02	04	04	04	04	04	04	04	04	04
Congressional Appropriations Actual on 1985 Request.										

United States National Central Bureau
 Salaries and expenses, General Legal Activities
 Summary of Requirements
 (Dollars in thousands)

Adjustments to the Base:	1986 Conference Agreement		1987 Work-	
	Pos.	WY	Pos.	WY
1986 Appropriations Anticipated	63	64	63	64
Transfers for Mail Management Services				
Mandatory Increase (Automatic, Not-Policy)				
1987 Base	63	64	63	64
Program Changes				
1987 Estimate	63	64	63	64

Activity/Program	1986 As Enacted		1986 Actual		1986 Appropriations Anticipated		1987 Base		1987 Estimate		Increase/Decrease	
	Pos.	WY	Pos.	WY	Pos.	WY	Pos.	WY	Pos.	WY	Pos.	WY
USNCB	63	65	64,633	63	63	64,401	63	64	64,439	63	64	64,941
											0	0
											0	572

United States National Criminal Bureau
 Reimbursable Resources
 Summary of Requirements
 (Dollars in thousands)

	1965 Actual			1966 Estimate			1967 Request			Increased/Decreased		
	Pos.	Wyn.	Aut.	Pos.	Wyn.	Aut.	Pos.	Wyn.	Aut.	Pos.	Wyn.	Aut.
Collection by Bureau	-	-	918	-	-	918	-	-	918	-	-	918
Air Force Office of Special Investigations	-	-	44	-	-	44	-	-	44	-	-	44
Federal Bureau of Investigation	-	-	88	-	-	88	-	-	88	-	-	88
Financial Crimes Enforcement Center	-	-	12	-	-	12	-	-	12	-	-	12
U.S. Courts	-	-	-	-	-	-	-	-	-	-	-	-
Budgetary Resources	0	0	918	0	0	940	0	0	940	0	0	94

United States National Central Bureau
Reimbursable Resources
Summary of Requirements
(Dollars in thousands)

Obligation by Program	1986 Actual			1986 Estimate			1987 Request			Increase/Decrease		
	Pos.	Wyns.	Aut.	Pos.	Wyns.	Aut.	Pos.	Wyns.	Aut.	Pos.	Wyns.	Aut.
USMCS	0	0	5121	0	0	540	0	0	540	0	0	50

Justification of Increase/Decrease
The USMCS anticipates no changes between 1986 and 1987.

**Interpol U.S. National Control Bureau
Salaries and expenses, General Legal Authorities
Detail of Permanent Positions By Category
Fiscal Years 1985-1987
(Dollars in Thousands)**

Category	1998		1999		1997	
	Authorized	Authorized	Programs	Programs	Authorized	Authorized
Gen. Admin. Clerked and Office Services (280-300)	57	58	0	0	0	0
Accounting and Budget (300-400)	3	3	0	0	0	0
Information and Aids Group (400-500)	1	1	0	0	0	0
Legal (500-600)	1	1	0	0	0	0
Medical (600-700)	0	0	0	0	0	0
U.S. Post	0	0	0	0	0	0
Personnel (700-800)	0	0	0	0	0	0
Food	0	0	0	0	0	0
1998 Program Problems	7	7	0	0	0	0
Supervision	0	0	0	0	0	0
Project Specialist	0	0	0	0	0	0

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●
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United States National Criminal Bureau
Salaries and expenses, General Legal Activities
Summary of Changes
(Dollars in thousands)

	Perm. Pos.	Wor. Pos.	Wor. Pos.	Wor. Pos.
Adjustments to the Base:				
1966 Conference Allowance	1	1	1	1
1966 Appropriation Anticipation	1	1	1	1
Transfer for Mail Management Services	1	1	1	1
Increase:				
1967 Pay Rates and Locality Pay Adjustments				179
Anticipation of 1968 Locality Pay				19
Anticipation of 1968 pay rate				26
With-grade Increase (1968)				34
GSA Rate				11
General Pricing Levels				17
INTERSOC. Debt				120
Total Increase				396
1967 Base	63	64	64	94,341
Program Changes				172
1967 Estimate	63	64	64	94,713

Salaries and Expenses
Justification of Program and Performance
(Dollars in Thousands)

Activity: United States National Central Bureau	Perm. FTE	FTE	Amount (\$000)
1988 Availability	62	64	\$4,429
1987 Base	62	64	\$4,941
1987 Estimate	62	64	\$7,113
Increase/Decrease	0	0	\$72

BASE PROGRAM DESCRIPTION:

The United States National Central Bureau organizes its functions into the Office of the Chief including administrative services and all investigative divisions: administrative, criminal, drugs, financial fraud, state labor, and investigative support. An assistant chief (senior special agent from the Department of Justice and Treasury) heads each division. Managing, intelligence, international art theft, kidnapping/forced adoption violations, crimes on the high seas, sabotage, violent crimes, counterfeiting U.S. obligations, threats against U.S. officials, and general crimes for foreign law-enforcement and U.S. law enforcement agencies at the federal, state and local level.

Program Changes	Perm. FTE	FTE	Amount (\$000)
Electronic Workflow	0	0	\$72
Increase/Decrease	0	0	\$72

Programed Activity:

In accordance with the Attorney General direction, the UNICBS has pursued the automation case processing to provide increased productivity and in the long term offset requirements for additional resources. This program will use electronic workflow to exchange and process international and domestic law enforcement information for the UNICBS's clients. The first major phase occurred in 1985. The UNICBS migrated an obsolete mainframe database application to a current technology LAN based database. In the follow-on phase, the system user interface will be improved and upgraded to streamline operations. It will also be improved to be compliant with security and FOIA/PA requirements in order to exchange information with key clients, including the FBI, USAID, DEA, Central Division and Treasury agencies. As a result of using these funds to offset shortfalls, the follow-on efforts have been delayed. Funding in the base needs to be restored to provide adequate funding to meet mandatory FOIA/PA requirements and add required functionality.

United States National Control Bureau
 Salaries and Expenses
 Financial Analysis - Program Changes
 (Dollars in thousands)

Item	USNCS		Total	
	Pos.	Adm.	Pos.	Adm.
1968 Electronic Workflow Project	0.0	\$72	0.0	\$72
Total program workyears and obligations changes requested, 1967	0.0	\$72	0.0	\$72

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United States National Control Bureau

Salaries and Expenses

1957 Priority Rankings

PROGRAM INCREASES

Ranking

Program

1 Electronic Warfare Project

BASE PROGRAM

Program

USMCS

United States National Central Bureau
Salaries and Expenses
Summary of Requirements by Grade and Object Class
 (Dollars in thousands)

	1985 Actual		1986 Request		1987 Request		Increase/Decrease	
	Pct. & Wryn.	Am.	Pct. & Wryn.	Am.	Pct. & Wryn.	Am.	Pct. & Wryn.	Am.
Grades and salary ranges								
GS-15, \$73,488-\$84,531	2	2	2	2	2	0	0	0
GS-14, \$62,473-\$71,317	1	1	1	1	1	0	0	0
GS-13, \$52,887-\$61,729	8	8	8	8	8	0	0	0
GS-12, \$44,488-\$51,000	7	7	7	7	7	0	0	0
GS-11, \$37,884-\$43,222	18	18	18	18	18	0	0	0
GS-10, \$33,783-\$38,888	0	0	0	0	0	0	0	0
GS-09, \$30,888-\$36,000	18	18	18	18	18	0	0	0
GS-08, \$27,784-\$33,000	0	0	0	0	0	0	0	0
GS-07, \$25,091-\$30,888	2	2	2	2	2	0	0	0
GS-06, \$22,664-\$28,250	2	2	2	2	2	0	0	0
GS-05, \$20,233-\$25,303	0	0	0	0	0	0	0	0
GS-04, \$18,682-\$23,515	0	0	0	0	0	0	0	0
Ungraded positions								
Locality Pay								
1985 Pay Rates								
1987 Pay Rates								
Total appropriated positions	63	\$2,265	62	\$2,369	62	\$2,638	0	\$166
Pay above stated annual rates								
Lapses	(4)	20	(2)	10	(2)	(10)	0	(20)
Savings due to lower pay scales for part o								
Net full-time permanent		(12)		(15)		(3)	0	(3)
Other than permanent	87	\$2,273	80	\$2,273	60	\$2,518	0	\$162
Part-time permanent								
Temporary employment	1	\$47	1	\$55	1	\$47	0	\$2
Other personnel compensation:								
Overlays	4	103	3	79	3	81	0	2
Other compensation								
Special personnel services payments								
Total, workyears and personnel compen								
Average GS salary	62	\$2,866	64	\$2,836	64	\$2,784	0	\$166
Average GS salary		\$28,882		\$28,208		\$28,208		\$28,208
Average GS Grade		16.41		16.46		16.46		16.46

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United States National Coastal Service
 Grants and Expenses
 Summary of Payments by Year and Object Class
 (Amount in thousands)

Object Class	1965 Actual		1966 Request		1967 Request		Increased Outlays	
	Wyn.	Act.	Wyn.	Act.	Wyn.	Act.	Wyn.	Act.
11.1 Total vehicles & personnel components	57	52,372	59	52,372	59	52,372	0	0
11.2 Other than full-time personnel	0	199	4	194	4	125	0	0
11.3 Other personnel components	0	151	0	151	0	151	0	0
11.4 Special personnel services payments	0	0	0	0	0	0	0	0
Total	57	52,372	63	52,372	63	52,372	0	0
Maintenance vehicles:								
Full-time Personnel:								
Other Object Classes:								
12.2 Personnel benefits	0	0	0	0	0	0	0	0
12.3 Per diem & travel	0	0	0	0	0	0	0	0
12.4 Travel & transportation of personnel	0	0	0	0	0	0	0	0
12.5 Travel & transportation of things	0	0	0	0	0	0	0	0
22.1 6841 year	0	0	0	0	0	0	0	0
22.2 Rental payments to others	0	0	0	0	0	0	0	0
22.3 Comm., int., & other elec. charges	0	0	0	0	0	0	0	0
22.4 Printing and reproduction	0	0	0	0	0	0	0	0
22.5 Advisory and assistance services	0	0	0	0	0	0	0	0
22.6 Other services	0	0	0	0	0	0	0	0
22.7 Procurement of goods & serv. from Gov't agency	0	0	0	0	0	0	0	0
22.8 Supplies and materials	0	0	0	0	0	0	0	0
22.9 Equipment	0	0	0	0	0	0	0	0
41.0 Grants	0	0	0	0	0	0	0	0
Total	0	0	0	0	0	0	0	0
Total Obligations	57	52,372	63	52,372	63	52,372	0	0

GENERAL GOAL: 7) Assist U.S. Federal, State and local law enforcement agencies by issuing INTERPOL lookouts, updating law enforcement databases, and providing investigative leads from INTERPOL, National Central Bureau.		PERFORMANCE TARGETS AND ACTUAL RESULTS				
Type of Indicator	Performance Indicators	1993 Actual	1994 Actual	1995 Target	1996 Actual	1997 Target
Input	1. U.S. Federal, State and local Message/Inquiries Received					
Output/Activity	2. Lookout Notices Provided* 3. Database Queries* 4. NCB Requests*					
Intermediate Outcome	5. NCB Responses* 6. Database Entries/Updates*					
End Outcome	7. Investigative Leads 8. Cases closed					
<p>A. Definitions of Terms or Explanations for Indicators. Clarify potentially confusing terms. Assess a low level of familiarity with your program.</p> <p>NCB = Each participating country sets up a National Central Bureau (NCB) which serves as the country's point of contact with the international law enforcement community. Each country operates its NCB within the parameters of its own national laws and policies.</p> <p>B. Factors Affecting FY 95 Program Performance. Describe reasons for any significant differences between target levels of performance and estimates of actual performance, whether positive or negative.</p> <p>See Goal 1 concerning implementation of Oracle database.</p> <p>Investigative leads are discretionary responses received from other law enforcement entities. INTERPOL is without jurisdiction to effect these responses. Cases closer follow highly investigative process, often spanning many years. Case closure may result from arrest, receipt of required information, information no longer needed by requester, expiration of all leads, etc. After exhausting all resources to provide requested assistance, the decision to close a case rests with the requesting party. The INTERPOL-USNCB is without jurisdiction to effect this action.</p> <p>The ability to post lookouts, update databases and relay investigative leads is dependent upon the availability of adequate human and fiscal resources.</p> <p>C. Factors Affecting Selection of FY 96 and 97 Targets. Provide information on the selection of target levels of performance, where necessary.</p> <p>On-going effort to establish performance measurement methodology which, through the implementation of a computerized database, provides measurement indicators and established baseline data.</p> <p>The ability to post lookouts, update databases and relay investigative leads is dependent upon the availability of adequate human and fiscal resources.</p> <p>Program is further meeting a request (1997) program change. A performance indicator and target were set for the ability to set the national fiscal resources to maintain.</p>						

Legal Activities Office Automation
Salaries and expenses, General Legal Activities
Crosswalk of 1996 Changes
(Dollars in thousands)

	1996 President's		Congressional		Transfers		1996 as enacted	
	Budget Request	For NY Amount	Appropriation on	1996 Request	For NY Amount	For NY Amount	For NY Amount	For NY Amount
Legal Activities Office Automation	\$22,618	...	-\$17,093	...	\$12,000	...	\$17,525

Congressional Appropriation Action on 1996 Request. The Conference Report on the 1996 appropriations bill for the Justice Department did not provide sufficient resources for base funding.

General Legal Activities
Legal Activities Office Automation
Reimbursable Resources
Summary of Requirements
(Dollars in thousands)

	1995 Actual	1996 Estimate	1997 Estimate	Increase/Decrease
	Fos MY Amount	Fos MY Amount	Fos MY Amount	Fos MY Amount
Collections by Source				
JND Information	...	...	...	...
Connection Utility ..	...	...	...	...
JND Systems Technology	...	...	...	...
Staff	30	...	...	...
JND Computer Services	...	...	...	...
Staff	40	...	...	...
Budgetary Resources ....	...	...	...	...
	120	...	...	...
Collections by Activity				
Legal Activities	...	...	...	...
Office Automation	120	...	...	...

General Legal Activities
Salaries and Expenses
Program and Performance Information
Government Performance and Results Act Requirements

MISSION: To improve the productivity of the Department's legal activities through the application of office automation technology.

ORGANIZATIONAL GOALS:

1. To install automated systems that will satisfy the essential document production, data management, and communications requirements of the Department's litigating components, within terms defined by the Department's senior management.
2. To establish cost-effective standards for the electronic exchange of documents and messages among Departmental organizations and to connect Departmental litigating components to other Federal agencies and the public.
3. To institutionalize the planning and acquisition processes for office automation resources so as to:
 - Build on the installed base of office automation systems in the litigating organizations;
 - Build cooperative processing systems wherever possible;
 - Ensure installation of compatible hardware and software; and
 - Move office automation and computing systems toward U.S. and international standards.

General Legal Activities
Salaries and Expenses
Program and Performance Information
(Dollars in thousands)

ACTIVITY: LEGAL ACTIVITIES OFFICE AUTOMATION

	Perma.	FTZ	Amount
	PSA.		
1996 Appropriation Anticipated	\$17,525
1997 Base	17,525
1997 Estimate	17,525
Increase/Decrease

Base Program Description: In 1986, the Deputy Attorney General directed that the Department develop a comprehensive policy and strategy for the design and acquisition of automated systems for the six legal divisions, the U.S. Attorneys, and senior management. The objective was to achieve management efficiencies and productivity gains in office automation systems and to move the Department toward a more coordinated and unified approach to these systems.

Since 1986, the Department has developed and implemented a series of project plans for carrying out the Deputy Attorney General's direction. Beginning with the JICUS system in 1986 and the EAGLE system in 1989, the Department began to implement coordinated office automation systems throughout the litigating organizations, except for the Antitrust Division. The Department is now pursuing the final coordinating step in the overall plan through a major acquisition which is expected to commence implementation in third quarter of 1996.

The Justice Consolidated Office Network (JCON) acquisition has been structured as two types contracts to promote competition and to yield the best possible combination of pricing and technical excellence for the Government. A Systems Integration (SI) contract will cover hardware, software, design and engineering services, facilities management services, installation, maintenance, and training. This contract will specify the overall architecture for the next generation of legal office automation systems in the Department, including providing guarantees of operation with the current systems. Personal computers, printers, and other "commodity" items are expressly excluded from the JCON SI contract, leaving these commodity items to be acquired through one or more separate contracts with short life cycles (two or three years). In this way, the commodity items will be routinely subjected to market competition, resulting in lower prices for the Department.

General Legal Activities
Salaries and expenses
Legal Activities Office Automation
Summary of Requirements by Grade and Object Class
(Dollars in thousands)

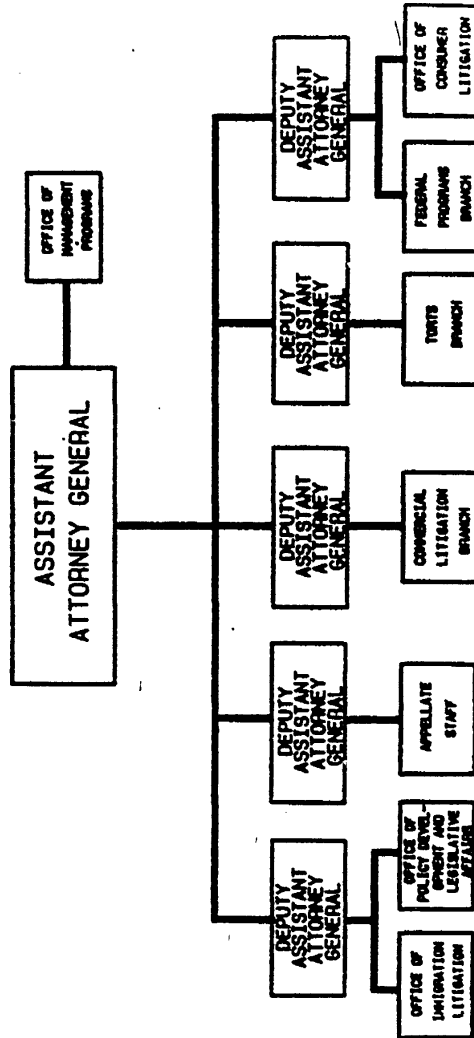
Object Class	1998 Actual	1996 Estimate	1997 Request	Increase/ Decrease
21.0 Travel and transportation of persons ..	19	5	...	-5
21.1 Gas rent	27	84	...	-84
21.2 Comm. util., & other misc. charges ..	2,959	3,649	3,762	+499
24.0 Printing and reproduction	2	2	825	...
25.1 Advisory and assistance services	1,945	825	2,872	...
25.2 Other services	1,493	2,872	2,110	...
25.3 Purchases from other gov't accounts ..	101	3,437	4,543	+1,135
25.7 Operation and maintenance of equipment ..	2,026	3,437	4,543	...
26.0 Supplies and materials	1,416	119	119	-1,235
31.0 Equipment	5,621	8,812	8,172	-2,535
Total obligations	20,692	20,038	17,925	-2,509

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Department of Justice
Violent Crime Reduction Program General Legal Activities
Estimates for Fiscal Year 1997
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CIVIL DIVISION



535

Approved:  Date: 7-3-90
Brock Thompson
Attorney General

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2

Cases resulting from the dedication of Violent Crime Reduction (VCR) resources are identical in nature to those traditionally handled by the Office of Immigration Litigation. The majority can be categorized as "removal" cases and will be handled under the existing order. Application and deportation cases are expected to be handled by the Office of Immigration Litigation's personnel and jointly handled case recipients in these areas are expected to exceed the 1994 level by 53 percent. The most significant growth is expected to occur in 1997, when the BIA completes its expansion. The Department's 1997 initiatives on criminal aliens, employment enforcement and border enhancement also will contribute to this growth. Taken together, the initiatives are expected to generate 32,000 additional Immigration Judge deportation cases per year, beginning in 1997. Critical to the success of these initiatives will be the ability of the Office of Immigration Litigation to defend the resulting challenges in a timely fashion. The Office expects to receive at least 230 challenges per year as a result of the Department's 1997 Immigration Initiatives.

Ultimately, the Civil Division's WCR resources are expected to contribute to a significant increase in the number of deportable aliens facing expulsion from the United States. Indeed, while the INS has direct responsibility for effecting an alien's removal, the Office of Immigration Litigation gives "teeth" to the process by upholding administrative removal decisions challenged in court.

Department of Justice
Violent Crime Reduction Program - General Legal Activities
Justification of Proposed Program in Appropriation Language

Violent Crime Reduction Program, General Legal Activities

For the continuation of the Violent Crime Reduction Program, the Department of Justice is authorized by section 10002 of Public Law 102-322, \$7,750,000, to remain available until expended, which shall be derived from the Violent Crime Reduction Trust Fund. (Violent Crime Reduction Act, 1991.)

Note.—A regular 1994 appropriation for this account had not been enacted at the time this budget was prepared. The 1994 amounts included in this budget are based on the levels provided in three continuing resolutions: P.L. 104-91, P.L. 104-92, and P.L. 104-99.

Department of Justice
Violent Crime Reduction Program: General Legal Activities
Crosswalk of 1996 Charges
(Dollars in thousands)

Activity/Program 4. Claims, customs, and general civil matters:	1994 President's Budget Request		Congressional Appropriation Actions on 1994 Request		Recommendations		1996 Appropriation Authorized	
	Fed.	EX AMOUNT	Fed.	EX AMOUNT	Fed.	EX AMOUNT	Fed.	EX AMOUNT
Federal Appellate Activity.....	...	...	...	...	...	...	...	...
Torts Litigation.....	...	...	...	...	...	...	...	...
Commercial Litigation.....	...	...	...	...	...	...	...	...
Federal Programs.....	...	...	...	...	...	...	...	...
Consumer Litigation.....	...	...	...	...	...	...	...	...
Immigration Litigation.....	...	...	...	...	...	...	...	...
Management and Administration.....	58	58 \$7,591	...	...	...	...	58	58 \$7,591
Total.....	58	58 7,591	...	...	...	...	58	58 7,591

Note: The Civil Division is the only organization within the General Legal Activities appropriation receiving funding from the Violent Crime Reduction Trust Fund.

Relativism to Justice?

[illegible]

Department of Justice
Violent Crime Reduction Programs - General Legal Activities
Salaries and Expenses
Justification of Program and Performance
(Dollars in Thousands)

	Perm. Pos.	FTE	AMOUNT
Violent Crime Reduction			
1996 Appropriation Anticipated	58	58	\$7,591
1997 Base	71	71	7,750
1997 Estimate	71	71	7,750
Increase/Decrease	...	...	...

BASE PROGRAM DESCRIPTION: Immigration enforcement is a continuum that involves the Immigration and Naturalization Service (INS), the Immigration courts, the Board of Immigration Appeals (BIA) and the federal courts. The Violent Crime Control and Law Enforcement Act of 1994 provided additional resources across this continuum for initiatives on criminal aliens and asylum claims. The Act significantly expanded the capacity of the Immigration adjudication pipeline by: (1) adding 100 new Immigration Judges; (2) increasing the BIA's staff by 67 positions; and (3) providing the Civil Division's Office of Immigration Litigation with 58 positions to defend the hundreds of additional deportation cases expected to be appealed to the federal courts.

Deportations are conducted as administrative hearings, the outcomes of which often are contested in court. In conjunction with the INS and federal and state correctional systems, the Executive Office for Immigration Review (EOIR) provides civil immigration hearings to aliens serving criminal sentences prior to their release from custody through the Institutional Hearing Program (IHP). Jurisdiction vests with the Immigration Judge at the time that INS files a charging document. Once jurisdiction vests, an IHP case is assigned to an Immigration Judge on a priority basis. If a criminal alien receives a deportation order, the case can be appealed to the BIA. According to EOIR, approximately 10 percent of criminal aliens who are issued deportations from an Immigration Judge appeal their cases to the BIA. BIA decisions are reviewed by petition to the courts of appeals; the Office of Immigration Litigation handles the vast majority of the deportation cases that pursue further action in the courts, while the U.S. Attorneys litigate the remainder.

Cases resulting from the dedication of Violent Crime Reduction (VCR) resources are identical in nature to those traditionally handled by the Office of Immigration Litigation. The majority can be categorized as "removal" cases -- individual challenges to orders of exclusion, expulsion and deportation. The remainder are benefits denial cases and collateral attacks on INS enforcement actions.

In 1995, the addition of 100 new VCR Immigration Judges contributed to a 12 percent increase in personally and jointly handled case receipts in these areas. However, due to hiring and training considerations, the full impact of the expanded Immigration Judge corps will not be felt until 1996 and 1997. Indeed, by 1997, the Office of Immigration Litigation's personally and jointly handled case receipts in these areas are expected to exceed the 1994 level by 51 percent. The most significant growth is expected to occur in 1997, when the BIA completes its expansion. The Department's 1997 initiatives on criminal aliens, employment enforcement and border enhancement also will contribute to this growth. Taken together, the initiatives are expected to generate

32,000 additional Immigration Judge deportation cases per year, beginning in 1997. Critical to the success of these initiatives will be the ability of the Office of Immigration Litigation to defend the resulting challenges in a timely fashion. The Office expects to receive at least 230 challenges per year as a result of the Department's 1997 immigration initiatives.

Ultimately, the Civil Division's VCR resources are expected to contribute to a significant increase in the number of deportable aliens facing expulsion from the United States. Indeed, while the INS has direct responsibility for effecting an alien's removal, the Office of Immigration Litigation gives "teeth" to the process by upholding administrative removal decisions challenged in court.

ACCOMPLISHMENTS: The resources provided by the Violent Crime Control and Law Enforcement Act contributed substantially to the Office of Immigration Litigation's ability to win 98 percent of the personally and jointly handled cases decided or dismissed by the courts in 1995. This exceeded the 90 percent target set by the Office under the Government Performance and Results Act. Specific examples of 1995 case accomplishments are contained in the Office's GLA budget submission.

PERFORMANCE MEASUREMENT TABLE: PRESENTED BY DECISION UNIT

NAME OF DECISION UNIT: Civil Division -- Violent Crime Reduction Programs		PERFORMANCE TARGETS AND ACTUAL RESULTS					
PERFORMANCE INDICATOR INFORMATION		PERFORMANCE TARGETS AND ACTUAL RESULTS					
Type of Indicator	Performance Indicators	1993 Actual	1994 Actual	1995 Actual	1996 Target	1997 Target	
Input							
	1. Number of cases pending beginning of year	N/A	N/A	0	153	355	
	2. Number of cases received during year	N/A	N/A	339	729	1,154	
Output/Activity							
	3. Number of cases terminated during year	N/A	N/A	181	532	905	
Outcome							
	4. Percent of cases won	N/A	N/A	96%	96%	96%	
Productivity/Efficiency							
	5. Percentage of caseload terminated	N/A	N/A	53%	69%	69%	
A. Definitions of Terms or Explanations for Indicators:							
<ul style="list-style-type: none"> • All Indicators: These indicators were first developed in 1995 as a result of the enactment of the Violent Crime Control and Law Enforcement Act of 1994. Therefore, no data is available for 1993 and 1994. • Indicators 1, 2 and 3: Case counts for these indicators were developed in a manner consistent with prior budget submissions and refer to personally and jointly handled cases. Case counts represent the portion of the Office of Immigration Litigation's total caseload resulting from the infusion of Violent Crime Reduction Trust Fund resources. • Indicators 4 and 5: These targets are the same targets used in the Office of Immigration Litigation's GLA budget submission. • Indicator 5: "Caseload" refers to the sum of cases pending at the beginning of the year and the number of new cases received during the year. 							
B. Factors Affecting FY 95 Program Performance:							
<ul style="list-style-type: none"> • All Indicators: The Office of Immigration Litigation's deep knowledge of immigration statutes and its ability to coordinate cases nationwide contributes to its success. 							

C. Factors Affecting Selection of FY 96 and 97 Targets:

- Indicator 2: Since the number of Immigration Judges doubled in 1995 as a result of the Violent Crime Control and Law Enforcement Act, the Office of Immigration Litigation assumes that, exclusive of the 230 projected cases associated with the Department's 1997 immigration initiatives, approximately half of the cases decided by the additional Immigration Judges may be viewed as VCR cases beginning in 1996.
- Indicator 4: Targets are not being raised above 90 percent, as Congress currently is considering several bills that could significantly alter the scope of immigration policy and, as a consequence, alter the Office of Immigration Litigation's level of performance.
- Indicator 5: Targets are based on the assumption that the federal courts will keep pace with the growing number of immigration claims. Bottlenecks in the court will impede the Office of Immigration Litigation's ability to meet these targets. Also, to the extent there is a lag between the court decision and the administrative closing of a case, these projections may be optimistic.

Department of Justice
Violent Crime Reduction Program: General Legal Activities
Detail of Personnel Positions by Category
Fiscal Years 1995 - 1997

Category	1995 Authorized	1996 Authorized	Adjustments in Positions and Workyears		Total ¹
			1997		
Attorneys (605)	43	43	10		53
Paralegal Specialists (950)	3	3	1		4
Gen. Admin. Clerical and Office Services (300-399)	32	32	2		34
Total	58	58	13		71
Washington	58	58	13		71
U.S. Field .....	...	...	...		...
Foreign Field .....	...	...	...		...
Total	58	58	13		71

¹ These figures include 50 term appointments.

Department of Justice
Violent Crime Reduction Program - General Legal Activities
Summary of Attorney and Support Positions
FY 1996 - 1997

APPROPRIATED POSITIONS	1996 Appropriation Anticipated			Adjustments In			1997 Request Level		
	Attorneys Pos. FTE	Support Pos. FTE	Total Pos. FTE	Attorneys Pos. FTE	Support Pos. FTE	Total Pos. FTE	Attorneys Pos. FTE	Support Pos. FTE	Total Pos. FTE
Decision Unit									
Federal Appellate Activity	...	...	...	...	...	...	...	...	...
Torts Litigation	...	...	...	...	...	...	...	...	...
Commercial Litigation	...	...	...	...	...	...	...	...	...
Federal Programs	...	...	...	...	...	...	...	...	...
Consumer Litigation	...	...	...	...	...	...	...	...	...
Immigration Litigation	43	15	58	10	3	13	53	18	71
Management and Administration	...	...	...	...	...	...	...	...	...
Total	43	15	58	10	3	13	53	18	71

Department of Justice
Violent Crime Reduction Program: General Legal Activities
Justification of Adjustments to Base
(dollars in thousands)

Adjustments To Base:	Perm. Est.	Work Years	Amount
1. Adjustments in permanent positions and workyears..... This adjustment provides for 13 additional positions and workyears with no additional funding.	13	13	...
Total adjustments.....	13	13	...
Increases:			
1. 1997 pay raise and locality pay adjustment..... This request provides for the proposed 3.0 percent pay raises and locality pay adjustment to be effective in January of 1997 and is consistent with Administrative policy included in the 1997 President's budget request. The amount requested, \$59,000, represents the pay amounts for three-quarters of the fiscal year plus appropriate benefits (\$46,000 for pay and \$13,000 for benefits = \$59,000).	...	...	\$59
2. Annualization of 1996 locality pay adjustment..... This adjustment represents the first quarter amounts of the locality pay increase received January 1996, plus appropriate personnel benefits.	...	...	8
3. Annualization and increase of 1996 pay raise..... This pay annualization represents first quarter amounts (October through December) of the 1996 pay increase of 2.4 percent, plus appropriate personnel benefits and the additional amount required above the 2.2 percent originally requested for the three-quarters of the year (\$16,000 for pay and \$4,000 for benefits).	...	...	20
4. General pricing level adjustments..... This request applies OMB pricing guidance as of June 11, 1995, to selected expense categories. The increased costs identified result from applying a factor of 2.7 percent against those subobject classes where the prices that the Government pays are established through the market system instead of by law or regulation. Generally, the factor is applied to salaries, materials, equipment, contracts with the private sector, printing costs, transportation costs, and utilities.	...	...	72
Total increases.....	...	...	159
Total Adjustments To Base.....	13	13	159
			12

Department of Justice
Violent Crime Reduction Program: General Legal Activities
Summary of Personnel by Grade and Object Class
(Dollars in thousands)

Grades and salary ranges	1995 Actual			1996 Estimate			1997 Request			Increase/Decrease		
	Positions & Workyears	Amount		Positions & Workyears	Amount		Positions & Workyears	Amount		Positions & Workyears	Amount	
GS-15, \$67,941-88,326.....	2	...		3	...		3	...		...	...
GS-14, \$57,760-75,085.....	...	...		...	...		...	...		...	...
GS-13, \$49,678-63,339.....	...	...		5	...		5	...		...	...
GS-12, \$41,083-52,184.....	2	...		...	...		...	...		...	...
GS-11, \$34,295-44,582.....	4	\$21		7	\$53		7	\$53		...	...
Locality Pay.....	...	...		...	23		...	23		...	...
1996 Pay Raise.....	...	...		...	...		...	...		...	...
1997 Pay Raise.....	8	391		21	1,038		21	1,072		...	...
Total, appropriated positions	...	...		...	...		...	...		...	...
Pay above stated annual rates	(3)	(51)		(...)	(...)		(...)	(...)		...	...
Lapses .....	...	...		...	...		...	...		...	...
Savings due to lower scales for part of year	5	340		21	1,037		21	1,068		...	...
Net, full-time permanent .....	...	...		...	...		...	...		...	...
Other full-time permanent .....	...	...		...	...		...	...		...	...
Temporary employment	10	639		37	2,032		50	2,828		...	...
Other personnel compensation:	...	...		...	...		...	...		...	...
Overtime .....	...	...		...	...		...	...		...	...
Other Compensation .....	...	...		...	...		...	...		...	...
Special personal services payments.....	...	...		...	...		...	...		...	...
Total, workyears and personnel compensation	15	989		58	3,088		71	3,920		...	...
Average GS Salary .....	...	(\$52,409)		...	(\$51,241)		...	(\$55,211)		...	...
Average GS Grade .....	...	12.7		...	13.1		...	13.2		...	...

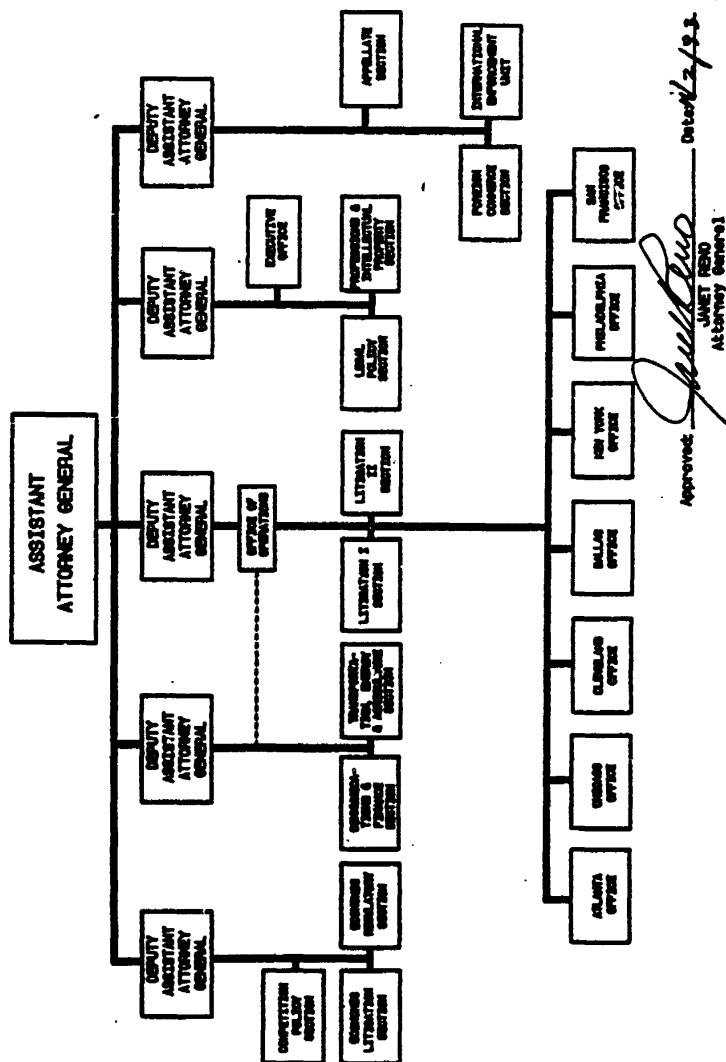
¹ This reflects full-time permanent positions. The remaining positions should be filled with term appointments.

Department of Justice
Violent Crime Reduction Program: General Legal Activities
Summary of Requirements by Grade and Object Class
(Dollars in thousands)

Object Class	1992 Actual		1994 Estimate		1997 Request		Increase/Decrease	
	MOYR	Amount	MOYR	Amount	MOYR	Amount	MOYR	Amount
11.1 Total workyears & personnel compensation.....	5	\$240	21	\$1,077	21	\$1,068	...	\$31
11.3 Other than full-time permanent.....	10	639	37	2,032	50	2,628	13	796
11.5 Other personnel compensation.....	...	10	...	19	...	24	...	5
11.8 Special personnel services payments.....	...	...	...	...	...	...	...	...
Total.....	15	989	58	3,088	71	3,720	13	832
Reimbursable workyears:	[...]		[...]		[...]		[...]	
Other than permanent.....	[...]		[...]		[...]		[...]	
Other Object Classes:	[...]		[...]		[...]		[...]	
21.0 Personnel benefits.....	208		741		980		279	
21.0 Travel and transportation of persons.....	75		209		255		180	
22.0 Transportation of things.....	3		12		14		11	
23.1 GSA rent.....	278		622		781		159	
23.3 Com., util., & misc. charges.....	125		131		156		31	
24.0 Printing and reproduction.....	12		74		91		79	
25.2 Other services.....	444		2,172		816		(1,356)	
25.2 Purchase of goods & svcs from Gov't accounts.....	111		377		413		242	
25.2 Operation and maintenance of equipment.....	40		25		30		10	
25.0 Supplies and materials.....	280		145		178		13	
31.0 Equipment.....	40		25		30		10	
Total obligations.....	15	2,668	58	7,591	71	7,750	13	159
Unobligated balance, start of year.....	...		(1,500)		(1,500)		...	
Unobligated balance, end of year.....	1,500		1,500		1,500		...	
Unobligated balance expiring.....	433		433		433		...	
Total requirements.....	4,600		7,591		7,750		...	
Relation of obligations to Outlays:	[...]		[...]		[...]		[...]	
Total obligations.....	2,668		7,591		7,750		...	
Outlays.....	1,819		688		688		...	
Unobligated balance, start of year.....	(688)		(688)		(1,051)		...	
Unobligated balance, end of year.....	1,819		7,552		7,551		...	

AMERICAN OVERSIGHT
Privacy and Resources
Budget Request for Fiscal Year 1997
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ADDITIONAL INFORMATION

Budget Request for Fiscal Year 1977
Summary Statement

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CRITICAL MISSION OF THE ANTENNY DIVISION

Simply stated, the mission of the Artificial Division is to protect competition and consumers in increasingly international and technology-driven markets through sound and measured enforcement of the antitrust laws. This is a critical responsibility that affects American consumers and American competitiveness over a wide spectrum of industries, ensuring a level playing field for U.S. businesses, both nationally and internationally, and the establishment and maintenance of a competitive economy for American consumers.

To carry out this mission, the Division has undertaken major initiatives in the past year in the areas of mergers, antitrust enforcement, and conduct, and international enforcement. Attention also has been focused on certain critical industries, including the computer industry, telecommunications, health care, banking and financial services. The Division's record in the past year is impressive, but it is only a beginning. An improved funding base is critically required in 1997 to continue the Division's efforts to drive to completion an adequate level of criminal enforcement in the United States to the benefit of American consumers and businesses. The Antitrust Division focuses on protecting competition in an increasingly global economy. The Division's highly visible investigations and cases, such as food and feed additives, Microsoft/Intel, American Express/Traveler, and Microsoft/Windows 95, and Microsoft/Novell, are only a few of the major and important law enforcement activities that the Antitrust Division has undertaken.

SECOND-STAGE MINOR ACTIVITY

The American economy is in the midst of a record-setting recovery. Since 1994, the U.S. economy has added 1.77 million jobs, and the unemployment rate has fallen to 4.7 percent, the lowest since 1969. The U.S. economy has added 1.77 million jobs since 1994, and the unemployment rate has fallen to 4.7 percent, the lowest since 1969. The U.S. economy has added 1.77 million jobs since 1994, and the unemployment rate has fallen to 4.7 percent, the lowest since 1969.

Abstract

In addition to an increase in workload, the higher level of merger activity has also been coupled with an increase in the complexity of the matters reviewed by the SEC Division. Unlike the conglomerates of the 1960s, which usually did not create direct competition, the "strategic" mergers of the 1970s often raise serious questions about the competitive impact of the new entity. As a result, greater scrutiny of the parties was required. In many cases, competitors had been merging before the SEC. "High-tech" industries in which technology is a winning race. In these cases, it is critically important that the Antitrust Division keep the resources in the SEC Division up to date.

The on-going merger was first based on the Internationalism, reform, harmony and health, even while an effort to the U.S. economy and the U.S. dollar. The merger was first based on the Internationalism, reform, harmony and health, even while an effort to the U.S. economy and the U.S. dollar. The merger was first based on the Internationalism, reform, harmony and health, even while an effort to the U.S. economy and the U.S. dollar.

The usefulness of the current state of research "will be felt by generations to come" **ONE YEAR LATER**, August 4, 1990. Accordingly, the *Atlanta Bulletin* is under tremendous pressure to ensure that carefully reviewed manuscripts proposed "have on a full chance to compete in a sale or publishing at the *Atlantic*." Contributors must be given the ability of making comments and new entries to have "a full chance to compete in a sale or publishing at the *Atlantic*." Moreover, major reviewers should be timely and no broader than necessary so as not to impede the timely completion of the manuscript. The *Atlanta Bulletin* is committed to the complete integrity of a lively playing field, and the interests of *Atlantic* contributors and future generations of *Atlantic* are to be the best possible product and the best possible price on the basis of sales. In order to keep up with and carefully review the thousands of manuscripts and the *Atlantic Bulletin* needs additional staff and resources.

THE UNIVERSITY OF CHICAGO PRESS

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Continued

**AMERICAN ENFORCEMENT
BUSINESS AND FINANCIAL**

CURRENT MANAGEMENT REVENUE LEVEL

The American Division today is staffed at approximately 200 employees below the level it was in 1960. Meanwhile, the U.S. economy has more than doubled in size, markets have become increasingly international, and litigation is far more complex and technologically advanced. Additional funding is required to allow the Division to staff to its fully authorized levels. The major reason the Nation is experiencing this put criminal enforcement on the front page of America's newspapers and international business publications. The truth is that, even with the modest growth requested in 1977, the Division is far below the levels necessary for truly effective enforcement, due to the disastrous cuts that the Artificial Division suffered during the 1960 and the much greater level of activity the Division is now faced to pursue.

In considering the Division's request for a budget increase in 1977, it should be noted that any increase in the Division's resources pays direct, substantial dividends to the U.S. Treasury. The largest part of the revenue comes from decreased request for goods and services that the Federal Government buys, a savings estimated at \$400 million in 1977. The Division also is a major contributor to the U.S. Treasury through its own sales and services. In 1976, the Division's sales and services were \$100 million. Important examples are the Division's security services investigations, which have alone resulted in nearly \$40 million in fines and penalties paid to the Federal Government, and the two recent guilty pleas in the explosive industry, resulting in a total of \$28 million in assessed fines.

In addition to major criminal enforcement initiatives, the Division has devoted itself in the past year to ensuring that decriming and restructuring have been pursued in order to provide for the maximum use of our existing resources. As the direct result of these efforts, we have been able to restructure and realign our workload to step up substantially our enforcement programs and improve our ability to litigate cases. The Division continues its aggressive pursuit of decriming initiatives and efficiency enhancing improvements to ensure that we are operating at effectively as possible and making maximum use of the Division's resources.

The annual volume of enforcement considered with these cases in which the Artificial Division anticipates workload increase is huge. Consequently, we estimate that the efforts of the Artificial Division will result in a savings to American consumers of over \$2 billion per year as the result of reduced prices through the deterrent effect of criminal enforcement.

The realities highlighted above, and many other important issues enumerated briefly in this budget request, reflect the priorities of this Administration and the important interests of American businesses and consumers in proactive, effective criminal enforcement. Even in the era of severe budget restraints, **there is no conflict enforcement in being paid with economic expansion and technological innovation will be a better economy that will use American talent to American business, consumers, and investors.**

The Division's request for an increase of \$10.4 million in revenue-related, step-by-step guaranteed funding will substantially stabilize the Division's funding structure, and the investment promises to pay big dividends for American businesses and investors.

Abstract

Application of General Chemistry to Agriculture and Forestry

The Congressional justification appropriations language is based on the 1994 Conference Report, P.L. 104-94. Notably, appropriations for fiscal year 1995 to make a down payment toward a balanced budget, on the other hand, are not included in the 1994 Conference Report. The 1994 language estimates include proposed changes in appropriations language that have been made since the 1994 Conference Report. The language is understood and clearly marked in brackets.

Schedules and Payments, Annual Budgets

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RECEIVED

1. The first change requests a third fiscal year appropriation for 1997 of \$64,304,000 instead of the total of \$45,703,000 for 1994.
2. This change will increase the Student's reliance on Federal funding from \$4,505,000 in 1994 to \$45,703,000 in 1997.
3. Changes are proposed to update the provisions of the anticipated 1995 Appropriations Act on different years so that the necessary activities remain intact.
4. This change requests a third fiscal year appropriation for 1997 of \$26,031,000 in place of the 1994 third year appropriation of \$17,261,000.
5. The third change requests that any loss received in excess of \$64,595,000 in third year 1997 shall become available on October 1, 1997, the beginning of fiscal year 1998.

9/cont'd

ANTHONY BOON
BUDGET IN - ANTWERP
Consolidated 1994 Changes
(\$ in thousands)

Activity/Program	1994 Revised President's Budget Request		Congressional Conference Agreement Action on 1994 Request		1994 Supplemental		1994 Reprogramming		1994 Anticipated Availability	
	Est	Am.	Est	Am.	Est	Am.	Est	Am.	Est	Am.
Direct Authority										
Federal Reserve Activity	15	14	11,422	9	10	4,922	1	1	8	7
Investment and Prevention of Private Capital Behavior	531	319	24,482	-134	-124	-13,326	14	15	112	117
Preservation of Competitive Market Structure	7	7	764	-7	-7	-764	1	1	1	1
Policy Analysis, Legislation and Testing	87	64	4,443	-33	-33	-3,799	4	4	24	27
Competition Advisory Program	32	32	3,200	-30	-31	-1,807	2	2	14	15
Management and Administration	61	61	8,246	-34	-37	-2,443	4	4	29	28
Subtotal, Direct Authority	604	391	43,083	-229	-223	-28,843	26	27	193	203
Indirect Authority										
Federal Reserve Activity	1	1	1	1	1	1	1	1	1	1
Investment and Prevention of Private Capital Behavior	11	11	1,199	-27	-27	-1,199	1	1	11	11
Preservation of Competitive Market Structure	460	443	46,346	7	7	7	423	416	46,346	45,346
Policy Analysis, Legislation and Testing	7	7	614	7	7	614	7	7	7	614
Competition Advisory Program	7	7	743	7	7	743	7	7	7	743
Management and Administration	460	443	46,346	7	7	7	460	443	46,346	45,346
Subtotal, Indirect Authority	861	864	91,346	-229	-222	-28,843	26	27	643	639
Total, New Budget Authority	1,465	1,255	134,429	-458	-445	-57,686	52	54	836	842
Indirect Authority -- Not Yet Confirmed Once										
Federal Reserve Activity	1	1	1	1	1	1	1	1	1	1
Investment and Prevention of Private Capital Behavior	11	11	1,199	-27	-27	-1,199	1	1	11	11
Preservation of Competitive Market Structure	460	443	46,346	7	7	7	423	416	46,346	45,346
Policy Analysis, Legislation and Testing	7	7	614	7	7	614	7	7	7	614
Competition Advisory Program	7	7	743	7	7	743	7	7	7	743
Management and Administration	460	443	46,346	7	7	7	460	443	46,346	45,346
Subtotal, Not Yet Confirmed Once	861	864	91,346	-229	-222	-28,843	26	27	643	639
Total, New Budget Authority	1,465	1,255	134,429	-458	-445	-57,686	52	54	836	842

Continued

AMERICAN OVERSIGHT
Summary of Budgetary Resources by Function

1996 Anticipated Availability
 1997 Budget
 1997 Request

1996 Anticipated Availability
 1997 Budget
 1997 Request

This Division requests no program increase in 1997 for its direct appropriation. The entire 1997 requested increase is derived from programmatic May fees and is revenue neutral.

Activity/Function	1996 Anticipated Availability			1997 Budget			1997 Request			Increase/Decrease		
	Est	NY	Avail	Est	NY	Avail	Est	NY	Avail	Est	NY	Avail
Direct Activities:												
Federal Appeals Activity	6	7	1,097	6	7	1,097	6	7	1,097	—	—	—
Nomination and Prevention of Needs Card Behavior	11	11	11,715	11	11	11,715	11	11	11,715	—	—	—
Policy Analysis, Legislation and Testing	1	1	1,000	1	1	1,000	1	1	1,000	—	—	—
Competition Advisory Program	14	14	1,448	14	14	1,448	14	14	1,448	—	—	—
Management and Administration	29	29	3,491	29	29	3,491	29	29	3,491	—	—	—
Subtotal, Direct Activities	71	71	28,851	71	71	28,851	71	71	28,851	—	—	—
Indirect Activities:												
Federal Appeals Activity	1	1	1,000	1	1	1,000	1	1	1,000	—	—	—
Nomination and Prevention of Needs Card Behavior	403	416	40,344	403	416	40,344	403	416	40,344	—	—	—
Policy Analysis, Legislation and Testing	7	7	714	7	7	714	7	7	714	—	—	—
Competition Advisory Program	1	1	144	1	1	144	1	1	144	—	—	—
Management and Administration	7	7	714	7	7	714	7	7	714	—	—	—
Subtotal, Indirect Activities	429	442	43,916	429	442	43,916	429	442	43,916	105	105	10,410
Total, New Budget Authority	440	449	44,967	440	449	44,967	440	449	44,967	105	105	10,410
Indirect Activities - Not Yet Certified Costs:												
Federal Appeals Activity	7	7	714	7	7	714	7	7	714	—	—	—
Nomination and Prevention of Needs Card Behavior	101	97	10,077	101	97	10,077	101	97	10,077	—	—	—
Policy Analysis, Legislation and Testing	1	1	100	1	1	100	1	1	100	—	—	—
Competition Advisory Program	15	15	1,448	15	15	1,448	15	15	1,448	—	—	—
Management and Administration	27	27	3,002	27	27	3,002	27	27	3,002	—	—	—
Total, Not Yet Certified Costs	151	147	14,341	151	147	14,341	151	147	14,341	—	—	—
Total, New Year Carry Over Authority	591	596	59,308	591	596	59,308	591	596	59,308	105	105	10,410
Gross Budget Authority	591	596	59,308	591	596	59,308	591	596	59,308	105	105	10,410

Continued

 FEDERAL BUDGET
 FISCAL YEAR 1987

 Summary of Appropriations by Program
 (Values in Thousands)

Activity/Program	1986 Appropriation as Requested			1986 Actual			1986 Availability Anticipated			1987 Basis			1987 Estimate			Increased/Decreased		
	PW	XX	AWL	PW	XX	AWL	PW	XX	AWL	PW	XX	AWL	PW	XX	AWL	PW	XX	AWL
Direct Authority																		
Federal Appellate	16	16	81,091	6	15	81,091	6	7	80,971	6	7	81,091	6	7	81,091	—	—	—
Federal Appellate Activity	251	255	24,154	159	165	24,111	115	116	11,716	115	116	14,169	115	116	14,169	—	—	—
Termination and Prevention of Private Civil Behavior	7	7	748	—	—	—	1	1	148	1	1	752	1	1	752	—	—	—
Preservation of Competitive Market Structure	27	27	6,158	29	27	4,274	28	27	2,297	28	27	2,297	28	27	2,297	—	—	—
Policy Analysis, Legislation and Training	21	21	6,158	15	15	4,274	14	14	1,281	14	14	2,297	14	14	2,297	—	—	—
Management and Administration	61	61	6,158	31	31	5,299	30	30	3,281	30	30	3,281	30	30	3,281	—	—	—
Indirect Authority																		
Belmont, Direct Authority	494	495	48,482	535	535	41,795	193	193	20,281	193	193	20,281	193	193	20,281	—	—	—
Indirect Authority																		
Federal Appellate	—	—	—	—	—	—	1	1	1,000	1	1	1,000	1	1	1,000	4	4	4,000
Termination and Prevention of Private Civil Behavior	—	—	—	—	—	—	11	11	1,000	11	11	1,000	11	11	1,000	42	42	4,200
Policy Analysis, Legislation and Training	—	—	—	—	—	—	425	416	43,348	425	416	43,348	425	416	43,348	98	98	2,251
Management and Administration	—	—	—	—	—	—	7	7	811	7	7	811	7	7	811	6	6	1,250
Subtotal, Indirect Authority	494	495	48,482	535	535	41,795	193	193	20,281	193	193	20,281	193	193	20,281	145	145	1,251
Total, Direct Authority	988	990	96,564	1,070	1,070	83,590	386	386	40,562	386	386	40,562	386	386	40,562	145	145	1,251
Indirect Authority - Prior Year Carried Over																		
Federal Appellate	—	—	—	—	—	—	7	7	752	7	7	752	7	7	752	—	—	—
Termination and Prevention of Private Civil Behavior	—	—	—	—	—	—	191	191	14,277	191	191	14,277	191	191	14,277	—	—	—
Policy Analysis, Legislation and Training	—	—	—	—	—	—	6	6	601	6	6	601	6	6	601	—	—	—
Management and Administration	—	—	—	—	—	—	28	28	2,729	28	28	2,729	28	28	2,729	—	—	—
Total, Prior Year Carried Over Authority	—	—	—	—	—	—	191	191	15,300	191	191	15,300	191	191	15,300	—	—	—
Total, Prior Year Carried Over Authority	—	—	—	—	—	—	191	191	15,300	191	191	15,300	191	191	15,300	—	—	—
Grand Total Authority	988	990	96,564	1,070	1,070	83,590	577	577	55,862	577	577	55,862	577	577	55,862	145	145	1,251
Other employees: Over/Under																		
Direct Authority	6	6	—	11	11	—	11	11	—	11	11	—	11	11	—	—	—	—
Indirect Authority	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Total Compensable Workyears	810	810	—	791	791	—	647	647	—	644	644	—	647	647	—	100	100	—

✓

W/CONTINUO

ATTACHED TO VARIOUS
ORDERS AND DECREES

Justification of Federal Land Performance

Federal Appellate Activity

558

10

Standard

ACADEMIC

Federal Appellate Activity

I. Basic Program Description	12
II. Accomplishments	12
A. Supreme Court	
B. Courts of Appeal	
C. DC Circuit Court	

Federal Acquisition Activity

Federal Applicable Activity	1996 Amended By Antideficiency Act			1997 Base			1997 Estimate			Increase/Decrease		
	YORK, NY	WATERBURY, CT	AMOUNT (\$000)	YORK, NY	WATERBURY, CT	AMOUNT (\$000)	YORK, NY	WATERBURY, CT	AMOUNT (\$000)	YORK, NY	WATERBURY, CT	AMOUNT (\$000)
Direct	0	7	9471	0	7	9144	0	7	9144	--	--	1
Indirect	1	1	99	1	1	99	0	0	629	4	0	349
Per Year Carry Over	7	6	764	3	3	416	3	3	416	--	--	--
Total	18	14	17118	18	11	1359	16	13	1389	7	3	349

THE PROGRAM PRESENTS

To provide effective representation, the District:

- [illegible]

The Federal Appellate court has been reviewing 12 positions (including 10 attorneys, 11 workers, and 1 LAR 202).

1. ACCOUNTING

A. Summary Court

In the Supreme Court, the Division filed four briefs in 1991, including one amicus brief. The Division also has filed one amicus brief with the Court in each during 1992.

- After the Division filed an original brief opposing a request in *Armen Incorporated v. Broad Medical Products, Inc.*, No. 95-1214, the parties settled their dispute and the petition was voluntarily dismissed.
- In *Quintel Computer v. Jackson Products, Inc.*, No. 43 B.A.W. 4237 (decided March 30, 1998), the Division, joined by the Civil Division, successfully argued that a court may not grant summary judgment on the grounds that the defendant has not presented its best evidence in support of its position.

Continued

APPENDIX B
REVENUE AND EXPENSES

Appropriation Category in the Revenue Code	1972	1973	1974	1975	1976	1977	1978	1979	1980	1981	1982	1983	1984	1985	1986	1987	1988	1989	1990	1991	1992	1993	1994	1995	1996	1997	1998	1999	2000	2001	2002	2003	2004	2005	2006	2007	2008	2009	2010	2011	2012	2013	2014	2015	2016	2017	2018	2019	2020	2021	2022	2023	2024	2025	2026	2027	2028	2029	2030	2031	2032	2033	2034	2035	2036	2037	2038	2039	2040	2041	2042	2043	2044	2045	2046	2047	2048	2049	2050	2051	2052	2053	2054	2055	2056	2057	2058	2059	2060	2061	2062	2063	2064	2065	2066	2067	2068	2069	2070	2071	2072	2073	2074	2075	2076	2077	2078	2079	2080	2081	2082	2083	2084	2085	2086	2087	2088	2089	2090	2091	2092	2093	2094	2095	2096	2097	2098	2099	2100	2101	2102	2103	2104	2105	2106	2107	2108	2109	2110	2111	2112	2113	2114	2115	2116	2117	2118	2119	2120	2121	2122	2123	2124	2125	2126	2127	2128	2129	2130	2131	2132	2133	2134	2135	2136	2137	2138	2139	2140	2141	2142	2143	2144	2145	2146	2147	2148	2149	2150	2151	2152	2153	2154	2155	2156	2157	2158	2159	2160	2161	2162	2163	2164	2165	2166	2167	2168	2169	2170	2171	2172	2173	2174	2175	2176	2177	2178	2179	2180	2181	2182	2183	2184	2185	2186	2187	2188	2189	2190	2191	2192	2193	2194	2195	2196	2197	2198	2199	2200	2201	2202	2203	2204	2205	2206	2207	2208	2209	2210	2211	2212	2213	2214	2215	2216	2217	2218	2219	2220	2221	2222	2223	2224	2225	2226	2227	2228	2229	2230	2231	2232	2233	2234	2235	2236	2237	2238	2239	2240	2241	2242	2243	2244	2245	2246	2247	2248	2249	2250	2251	2252	2253	2254	2255	2256	2257	2258	2259	2260	2261	2262	2263	2264	2265	2266	2267	2268	2269	2270	2271	2272	2273	2274	2275	2276	2277	2278	2279	2280	2281	2282	2283	2284	2285	2286	2287	2288	2289	2290	2291	2292	2293	2294	2295	2296	2297	2298	2299	2300	2301	2302	2303	2304	2305	2306	2307	2308	2309	2310	2311	2312	2313	2314	2315	2316	2317	2318	2319	2320	2321	2322	2323	2324	2325	2326	2327	2328	2329	2330	2331	2332	2333	2334	2335	2336	2337	2338	2339	2340	2341	2342	2343	2344	2345	2346	2347	2348	2349	2350	2351	2352	2353	2354	2355	2356	2357	2358	2359	2360	2361	2362	2363	2364	2365	2366	2367	2368	2369	2370	2371	2372	2373	2374	2375	2376	2377	2378	2379	2380	2381	2382	2383	2384	2385	2386	2387	2388	2389	2390	2391	2392	2393	2394	2395	2396	2397	2398	2399	2400	2401	2402	2403	2404	2405	2406	2407	2408	2409	2410	2411	2412	2413	2414	2415	2416	2417	2418	2419	2420	2421	2422	2423	2424	2425	2426	2427	2428	2429	2430	2431	2432	2433	2434	2435	2436	2437	2438	2439	2440	2441	2442	2443	2444	2445	2446	2447	2448	2449	2450	2451	2452	2453	2454	2455	2456	2457	2458	2459	2460	2461	2462	2463	2464	2465	2466	2467	2468	2469	2470	2471	2472	2473	2474	2475	2476	2477	2478	2479	2480	2481	2482	2483	2484	2485	2486	2487	2488	2489	2490	2491	2492	2493	2494	2495	2496	2497	2498	2499	2500	2501	2502	2503	2504	2505	2506	2507	2508	2509	2510	2511	2512	2513	2514	2515	2516	2517	2518	2519	2520	2521	2522	2523	2524	2525	2526	2527	2528	2529	2530	2531	2532	2533	2534	2535	2536	2537	2538	2539	2540	2541	2542	2543	2544	2545	2546	2547	2548	2549	2550	2551	2552	2553	2554	2555	2556	2557	2558	2559	2560	2561	2562	2563	2564	2565	2566	2567	2568	2569	2570	2571	2572	2573	2574	2575	2576	2577	2578	2579	2580	2581	2582	2583	2584	2585	2586	2587	2588	2589	2590	2591	2592	2593	2594	2595	2596	2597	2598	2599	2600	2601	2602	2603	2604	2605	2606	2607	2608	2609	2610	2611	2612	2613	2614	2615	2616	2617	2618	2619	2620	2621	2622	2623	2624	2625	2626	2627	2628	2629	2630	2631	2632	2633	2634	2635	2636	2637	2638	2639	2640	2641	2642	2643	2644	2645	2646	2647	2648	2649	2650	2651	2652	2653	2654	2655	2656	2657	2658	2659	2660	2661	2662	2663	2664	2665	2666	2667	2668	2669	2670	2671	2672	2673	2674	2675	2676	2677	2678	2679	2680	2681	2682	2683	2684	2685	2686	2687	2688	2689	2690	2691	2692	2693	2694	2695	2696	2697	2698	2699	2700	2701	2702	2703	2704	2705	2706	2707	2708	2709	2710	2711	2712	2713	2714	2715	2716	2717	2718	2719	2720	2721	2722	2723	2724	2725	2726	2727	2728	2729	2730	2731	2732	2733	2734	2735	2736	2737	2738	2739	2740	2741	2742	2743	2744	2745	2746	2747	2748	2749	2750	2751	2752	2753	2754	2755	2756	2757	2758	2759	2760	2761	2762	2763	2764	2765	2766	2767	2768	2769	2770	2771	2772	2773	2774	2775	2776	2777	2778	2779	2780	2781	2782	2783	2784	2785	2786	2787	2788	2789	2790	2791	2792	2793	2794	2795	2796	2797	2798	2799	2800	2801	2802	2803	2804	2805	2806	2807	2808	2809	2810	2811	2812	2813	2814	2815	2816	2817	2818	2819	2820	2821	2822	2823	2824	2825	2826	2827	2828	2829	2830	2831	2832	2833	2834	2835	2836	2837	2838	2839	2840	2841	2842	2843	2844	2845	2846	2847	2848	2849	2850	2851	2852	2853	2854	2855	2856	2857	2858	2859	2860	2861	2862	2863	2864	2865	2866	2867	2868	2869	2870	2871	2872	2873	2874	2875	2876	2877	2878	2879	2880	2881	2882	2883	2884	2885	2886	2887	2888	2889	2890	2891	2892	2893	2894	2895	2896	2897	2898	2899	2900	2901	2902	2903	2904	2905	2906	2907	2908	2909	2910	2911	2912	2913	2914	2915	2916	2917	2918	2919	2920	2921	2922	2923	2924	2925	2926	2927	2928	2929	2930	2931	2932	2933	2934	2935	2936	2937	2938	2939	2940	2941	2942	2943	2944	2945	2946	2947	2948	2949	2950	2951	2952	2953	2954	2955	2956	2957	2958	2959	2960	2961	2962	2963	2964	2965	2966	2967	2968	2969	2970	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HOW TO PREPARE

The Division filed summary orders in four significant cases during 1995 and has filed three summary orders to date during 1996. These include:

- in *Florida Municipal Power Agency v. Florida Power and Light Company*, No. 94-523 (11th Cir.), the Division successfully argued that the filed rate doctrine barred the rate payers' claims under the filed rate doctrine.
- In *Interborough N.Y. Rapid Transit Corp. v. New York City*, No. 94-1805 (4th Cir.), the Division argued that a contract between a customer and the seller is an illegal tying contract and is a "contract" in the context of trade or commerce. That is unlawful under section 1 of the Sherman Act.
- In *Complete Mold Casting Co., Inc. v. Portland Cement Mfg. Corp.*, No. 94-1602, 95-3999 (9th Cir.), the Division filed an amicus brief in support of a petition for rehearing in which it argued that the court of appeals had expanded the tying standard in determining the scope of potentially harm the entitled party for private parties under the state action doctrine.
- The Division has also filed *briefs* in *City of New York v. New York City* and *City of New York v. New York City*, No. 94-1948 (9th Cir.), *Winters v. Int'l. M.A.S. Marine Company*, No. 94-1949 (11th Cir.), and *Levin v. Levin*, No. 94-1944 (11th Cir.).

C. DC Chem Court (AMJ) -- Justice Expense

The Division's endorsement of the ANI Modified First Judgment (MFI), which ended the ANI case brought by the Division in the 1970's, continued to generate significant appellate activity, and issues associated with the dispute will now have to be reargued with the Telecommunications Act of 1994, signed by the President on February 4, 1994. Since January 1993, there have been twelve decisions involving the MFI. Moreover, the district court is currently considering several important MFI issues that will now have to be evaluated in accordance with the provisions of the new Telecommunications Act.

The Division's role in date has been key, because today's telecommunications industry has been substantially shaped by the terms of the MFJ. The MFJ required contributing supervision by the Department and he must over the last decade, particularly with respect to the first-class business restrictions, which barred the independent Bell Companies from providing long distance service and seriously most customer non-telecommunications markets.

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ANTHONY
J. M. J. J.

JOURNAL OF LAW AND ECONOMICS

Termination and Prevention of Private Cartel Behavior

6700000

ANTITRUST DIVISION
POLICE AND PROSECUTION

Termination and Prevention of Private Cartel Behavior

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ATTENTION: PERSONNEL

1. ACCOUNTING AND ON-GOING INTEGRATIONS

A. CEMENTAL IMPROVEMENT

Critical endorsement of the ethical issue applied related subjects of books has been and continues to be one of the Editor's core editorial areas. We have been pleased to announce that we have received a number of new manuscripts on this topic. The Editor's interest in this area is reflected in the fact that we have published a number of books on this topic in the past. The Editor's interest in this area is reflected in the fact that we have published a number of books on this topic in the past. The Editor's interest in this area is reflected in the fact that we have published a number of books on this topic in the past.

The Division's criminal enforcement program has remained vigorous and is being pursued diligently by the Division through its existing Quality Criminal Cases Initiatives in which substantial efforts are being made with Federal and State officials to guide in the investigation and prosecution of criminal offenders. Already, an estimated four million dollars of criminal cases against 40 corporations and 22 individuals. Prior to over \$14.4 million were recovered in 1995 as a result of investigations conducted — the highest total ever collected by the Criminal Division in criminal corporate law.

Several major expenditures have been entered inferring violation of Sherman Act or agreed to a fine in connection with a job at City. And recently:

- [illegible]

Continued

**AMERICAN PAPER
CORPORATION**

Comparison of studies with international aspects had recently been reviewed by the Federal Reserve for possible evidence regarding the trend and level of international trade. The investigation indicated that there had been a significant increase in the price of a commodity used in the production of paper, which had led to a corresponding increase in the price of the commodity used in the production of paper. The investigation also indicated that the price of the commodity used in the production of paper had increased by 10 percent, which had led to a corresponding increase in the price of the commodity used in the production of paper. The investigation also indicated that the price of the commodity used in the production of paper had increased by 10 percent, which had led to a corresponding increase in the price of the commodity used in the production of paper.

The Division recently completed a review of its ongoing investigations related to the marketing of its products. The investigation indicated that the price of the commodity used in the production of paper had increased by 10 percent, which had led to a corresponding increase in the price of the commodity used in the production of paper. The investigation also indicated that the price of the commodity used in the production of paper had increased by 10 percent, which had led to a corresponding increase in the price of the commodity used in the production of paper. The investigation also indicated that the price of the commodity used in the production of paper had increased by 10 percent, which had led to a corresponding increase in the price of the commodity used in the production of paper.

On September 14, 1976, two Japanese paper companies, Mitsubishi Paper Mills Ltd. and Nippon Paper Industries Co., Ltd., agreed to plead guilty to charges of criminal price fixing and to pay fines of more than \$1.5 million for their role in an international scheme to set the price of paper. The investigation also indicated that the price of the commodity used in the production of paper had increased by 10 percent, which had led to a corresponding increase in the price of the commodity used in the production of paper. The investigation also indicated that the price of the commodity used in the production of paper had increased by 10 percent, which had led to a corresponding increase in the price of the commodity used in the production of paper.

On May 6, 1976, the Division filed an information charging that Nippon Paper Industries Co., Ltd., a subsidiary of a Japanese company, located in New York, with competing in the price of paper with other companies. The investigation also indicated that the price of the commodity used in the production of paper had increased by 10 percent, which had led to a corresponding increase in the price of the commodity used in the production of paper. The investigation also indicated that the price of the commodity used in the production of paper had increased by 10 percent, which had led to a corresponding increase in the price of the commodity used in the production of paper.

The Division is investigating a 15-year supply agreement under which a major international, U.S. based company will sell the liquid COG needed and set off of its production to another company. The U.S. based company's entry into the market in the early 1960's drove down prices, and therefore it will could increase prices in COG distribution.

Another matter that recently has met with successful prosecution involves the price of paper. The investigation also indicated that the price of the commodity used in the production of paper had increased by 10 percent, which had led to a corresponding increase in the price of the commodity used in the production of paper. The investigation also indicated that the price of the commodity used in the production of paper had increased by 10 percent, which had led to a corresponding increase in the price of the commodity used in the production of paper.

As shown in the chart below, the number of criminal cases involving international issues is increasing. These cases include price discovery and analysis and more often, between 1970 and 1974, the number of grand jury indictments increased 10 percent, with additional indictments obtained through 1977.

Abstract

Moreover, these cases must generally be **conducted in a fast track** because of the desire, if possible, to ensure a contract is entered in order to avoid disputes in PDC. For example, one recent investigation involved the consolidation of a three-year contract. Two lawyers had the deposit but some components didn't turn up for two years. Another complication had many of these investigations involve the contributors of the only two companies producing a product, which means that developing information is more difficult than in other cases because there are available third parties to provide information to help the investigation.

[illegible]

• The Division's Federal and state procurement initiatives provide testing and other assistance to Federal, state and local procurement officials on how to detect, report, and investigate suspected anticompetitive contracting activities. The program has been well received by Federal, investigatory agencies, state attorneys general, and procurement officials. These cooperative efforts have been invaluable in cases such as our school and military milk contract bid protests.

• The O'Brien and the others' grand of several states have searched for aging in school and military milk contracts in the United States. These investigations have resulted in the filing of 121 criminal cases against 70 corporations and 54 individuals. Press and damages total \$47 million. Ten milk grand jury indictments are now active in several states.

- **Crucial investigations began under the President's executive amnesty program have received outstanding support from the FBI, but in general, the President and the Justice Department have been reluctant to support the program.**

RESEARCH

- The filing of two criminal cases in the luxury industry is just the result of continued work by the Department of Agriculture Inspector General's Office in securing a search warrant and in seeking throughout the marketplace for gathering information and evidence.

INTERVIEW

Report of the Author: *Wilder's* non-anger and endorsement suggests an interest under Section 1 of the Sherman Act is a priority. The perception and policy among consumers and competitors that open and competitive markets are essential and the author here will be enhanced July and July is critical to the economic health of all Americans. Vigorous competition is also critical to ensure the rapid innovation that generates continued advances in our standard of living.

The Division has filed a number of major civil enforcement actions, and has underway a very large number of new civil investigations. The resource requirements necessary to maintain the effort are great. More staffing is desperately needed to handle additional violations occurring from this program.

RESEARCH DESIGN

Advertising is rapidly changing, and new methods are emerging almost daily. It is critical that the Advertiser Division have the resources (staff, talent) to keep up with the changes and growth especially in areas that will contribute to the growth of advertising and advertising agencies. The Advertiser Division will continue to be a leader in the industry and will continue to work closely with the law in addressing intellectual property issues.

The studies are viewed as part of a series of possible alternatives outlined in the Technology Initiative. These investigations include the legal and economic viability of a single, centrally located, high-level research and development center, the use of a single research center and a number of smaller, regional centers, and the use of a number of smaller, regional centers and a single, centrally located research center. The studies are intended to provide information on the relative merits of these alternatives.

1

[illegible]

The Biden is working closely in additional nations. Currently the Biden has a major on-going investigation of practices on the MASHAQ exchange involving a number of leading Wall Street firms. This complex investigation is currently dealing with 12 lawyers and 3 economists and is in need of additional and

!

On February 5, 1994, the President signed into law the Telecommunications Act of 1994. This is an economic order that required considerable effort in the past, in order to create and stabilize the AT&T sector, with the new statute, the workload is actually expected to increase. The new statutory scheme is bringing a number of new assignments and demands, and while many are preceptual, some are real. The ones we continue to require substantial funding for research and economic investments about the industry involved.

ANALYSIS OF THE DATA

In addition, the Division has dedicated significant effort to the Modification of Prior Judgments (MPJ) in the ABCI case. This action is superseded by the *United States v. American Communications Association* Act of 1994. In the past year, the Division proposed a modification of the MPJ to permit *Amnesty* to offer long distance service on a bid basis, other competitors enter the local exchange market at Ameritech's toll-free, other competitors enter the local exchange market at Ameritech's toll-free, other competitors enter the local exchange market at Ameritech's toll-free. The Division also supported a waiver of MPJ requirements to permit the bid basis. Competitors to bundle long distance service with specified information services. Further, the Division responded to 34 other requests for waivers for MPJ. The Division also has devoted substantial resources in a comprehensive investigation of competition in long distance markets.

[illegible][illegible]

Health Care

The Division is investigating suspected child sex violations by companies in the health care industry. Recent cases and investigations have raised a major concern at the Division regarding the wide variety of health care settings offering sex services. The Division presently is investigating a significant number of sex offenses in the health care industry. In addition, the Division is conducting an ongoing investigation of the health care industry's efforts to circumvent the law. The Division has been conducting an ongoing investigation of the health care industry's efforts to circumvent the law. The Division has been conducting an ongoing investigation of the health care industry's efforts to circumvent the law.

Abstract

A. North-Care Business Institute

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[illegible]

The investigation that led to this important case and settlement began in August 1969, over 2 years before the complaint was filed, and almost 4 1/2 years before the case was finally settled. The delay was attributable almost entirely to inadequate funding for law enforcement. Four lawyers, who worked on the matter on a part-time basis, were responsible for:

- Reviewing 760,000 pages of documents produced by the Adversary
- Reviewing 280,000 pages of documents produced by third parties
- Conducting 83 lengthy interviews
- Conducting 44 depositions; and

Abstract

As a result of our completed discovery, we were prepared to prove that the contemplated information campaign predicted at least 100 separate plans that would represent various numbers of strikes, but would not have relied on just 11 letters, and that several other very significant information plans also were being implemented. The only reason we were not able to prove this was that the information campaign was not being implemented. The only reason we were not able to prove this was that the information campaign was not being implemented. The only reason we were not able to prove this was that the information campaign was not being implemented.

The Division has filed a number of major old unconsented actions, and has underway a very large number of new old investigations. In order to more effectively manage multiple and address new matters being discovered, it is necessary to enhance Division staffing.

[illegible]

ANALYST

Black leaders.—The National has been investigating allegations that the two largest black trade unions, companies in the nation, black management, and black labor leaders, are using long-term contracts as vehicle for discrimination to maintain domination and take share in nation share in the economy in the hands of the companies. In 1974, the National has completed an important report on the subject. The report, "The Black Labor Union: A Study of the Black Labor Union," is a long and detailed study of the black labor union. It is a study of the black labor union, its history, its structure, its function, and its role in the economy. It is a study of the black labor union, its history, its structure, its function, and its role in the economy. It is a study of the black labor union, its history, its structure, its function, and its role in the economy.

[illegible]

Stocks Available—The Institute has been studying various types of stocks, which manufacturers approximately 75% of the clothes sold in the U.S. The Institute is developing studies to help the industry, and is planning to publish a book on the subject. The book will be published in the near future. The U.S. market is growing at a rate of 10% per year, and the Institute is planning to publish a book on the subject.

Can I get a better price? — We believe a thoroughly priced enterprise is critical to the computer-related legal research industry. The fact is, we're currently receiving positive feedback for the computer-related legal research industry. In fact, we're receiving feedback from the legal research community, such as the American Association of Law Libraries, that we're providing a valuable service. We're also receiving feedback from the legal research community, such as the American Association of Law Libraries, that we're providing a valuable service. We're also receiving feedback from the legal research community, such as the American Association of Law Libraries, that we're providing a valuable service.

The British is conducting an investigation of climate officials in houses in California whether they have unconsciously collected climate sensitive information. The British is conducting an investigation of climate officials in houses in California whether they have unconsciously collected climate sensitive information. The British is conducting an investigation of climate officials in houses in California whether they have unconsciously collected climate sensitive information.

[illegible][illegible]

APPROVED FOR RELEASE

A serious reader
 President in 1997.

ON THE POLYMERIZATION

- [illegible]

Abstract

- [illegible]

ANALYSIS

- [illegible]

Franchise

Account Payable
Interest and Dividend

Application of Interest and Profit/Loss

Preservation of Competitive Market Structure

580

7/20/2004

**ATTORNEY GENERAL
OFFICE OF THE ATTORNEY GENERAL**

Preservation of Competitive Market Structure

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Provided

AMERICAN AIRLINES FINANCIAL STATEMENTS

Restoration of Competitive Market Structure

Description of Competitive Market Structure	1993 Available Seating Capacity		1993 Seats		1993 Seats to Be Restored		Increase/Decrease	
	Year	Seats	Year	Seats	Year	Seats	Year	Seats
Domestic	1	1,100	1	1,170	1	1,170	-	0
International	488	414	488	414	488	414	0	0
Prior Year Carry Over	6	6	6	6	6	6	0	0
Total	705	725	705	725	705	725	0	0

1. BASIC PROGRAM INFORMATION

The purpose of this program is to provide a detailed study of the competitive market structure and to identify the competitive market structure that is most likely to be restored. The program is designed to provide a detailed study of the competitive market structure and to identify the competitive market structure that is most likely to be restored. The program is designed to provide a detailed study of the competitive market structure and to identify the competitive market structure that is most likely to be restored.

The Program of Competitive Market Structure study has been reviewed by the 427 positions (including 315 employees, 419 employees, and 44,000,000).

2. ACCOUNTING AND OTHER INFORMATION

A. SUMMARY

Section 7 of the Chapter Act, as amended by the Joint-Stock-Shareholders' Act of 1974, requires each corporation that plans to merge or to enter into a similar transaction to submit to the Federal Reserve Board a plan of merger or similar transaction. The plan must include a detailed study of the competitive market structure and to identify the competitive market structure that is most likely to be restored. The plan must also include a detailed study of the competitive market structure and to identify the competitive market structure that is most likely to be restored.

B. Conditions of Market Activity

In the last year, the number of passengers transported has increased by 100,000, which is a record for the industry. Based on passenger figures, in the last full fiscal year (1990), we received 1,170,000 passengers. This is a record for the industry. Based on passenger figures, in the last full fiscal year (1990), we received 1,170,000 passengers. This is a record for the industry. Based on passenger figures, in the last full fiscal year (1990), we received 1,170,000 passengers. This is a record for the industry.

Presented

ANNUAL REPORT 1997-1998

Grand Total: 1997, 1998, 1999, 2000

Not only is the number of IECs being investigated, which must be reviewed by the Board, but also the work associated with the review of each proposed merger with the ability to conduct 30-day studies is also increasing dramatically due to the growing complexity of the issues and the increasing number of cases. The average number of work hours in each IEC investigation has jumped from just over 100 hours per matter in 1994, to over 200 hours per matter in 1998. The average number of hours per matter in 1998 was 200 hours per matter. The average number of hours per matter in 1998 was 200 hours per matter. The average number of hours per matter in 1998 was 200 hours per matter.

Item	2000	2001	2002	2003	2004	2005	2006	2007	2008	2009	2010	2011	2012	2013	2014	2015	2016	2017	2018	2019	2020
United Passenger (Rings)	2009	4000	6410	6410	6410	6410	6410	6410	6410	6410	6410	6410	6410	6410	6410	6410	6410	6410	6410	6410	6410
United Passenger Instruments	1045	2000	2010	2010	2010	2010	2010	2010	2010	2010	2010	2010	2010	2010	2010	2010	2010	2010	2010	2010	2010
Chengdu, 100 Pcs	1/20	2,145	2,147	2,147	2,147	2,147	2,147	2,147	2,147	2,147	2,147	2,147	2,147	2,147	2,147	2,147	2,147	2,147	2,147	2,147	2,147
Grounding Inductance																					

HOW TO GET THE MOST FROM THIS BOOK

1. Mineral Acquisition of Invertebrates

[illegible]

Contributor Association Association of Lenses

On July 30, 1995, the Division filed a complaint in the U.S. District Court for the District of Columbia alleging that the proposed transaction valued at \$1.7 billion between Computer Associates and Legend, the two largest independent vendors of systems management software products for file mainframe computers, would result in large and small businesses' access to business, technical and human resources, hardware and non-patent components, loss of jobs, loss of technology support, and lower quality.

Concerned with the filing of the complaint, and as a result of long and arduous negotiations, a proposed settlement was filed and provided for the establishment of a new vehicle competitor in the market in specific product areas.

Intercomprehension Version

[illegible]

In telecommunications, Division efforts are critical to ensuring low, open and competitive markets. Enactment of the Telecommunications Act of 1994 will accelerate the already fast pace of changes in this industry. Many telecommunications providers may have helped to prompt the enactment of the Telecommunications Act and the Telecommunications Act.

The following examples of recent and current mergers in telecommunications underline the tremendous task faced by the Division in the review of these matters.

Dr. Amy L. McCoy

A good example of the **divergence** **more** **considered** **more** **transitions** the Division is investigating called upon to investigate was the 112.1 MHz acquisition by ASI, the nation's largest long-distance company, of McCos, the nation's largest cellular telephone company. The Division began investigating on November 29, 1993 and continued the investigation until the complaint and consent decrees were filed on July 15, 1994.

The investigation involved interviews of over 80 people, most of which took one or two days to complete. It also involved about 350 hours of deposits by CI people were deposited for one or more days each. A massive document production was involved—over 1900 boxes of documents and about 400 floppy disks of information were identified and a document imaging project was established in order to expedite processing the data, opening the way for the Mann use of this technology on both sides. In addition, 12 attorneys, 4 paralegals and 4 economists assigned to the matter, additional Division computer personnel, paralegals and attorneys were needed just to help with the management and control of the information.

The investigation involved contacts of many categories of persons: police, cellular broadcast-unit services, cellular broadcast-unit operators, and telecommunications network. The investigation was complex. For example, because many of McCann's cellular broadcast-unit operators were not trained in the use of cellular broadcast-unit services, the investigation required that a trained station located through the incentives to discontinue these "broadcast" companies and former McCann. In addition, because McCann obtained its cellular broadcast-unit long distance service from a single supplier (AUSA), it could offer competition in the telecommunications market.

07000000

Abstract

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[illegible]

KEY WORDS:

[illegible]

1. Special Math Note

This series of 13 investigations involved the radioisotope identification of all the available radio spectrum allocated for retail use.¹ In six companies purchased food products, which are used for diagnostic services, to offer retail isotope services. The investigators used the equation of isotopes that correlations would have ornaments of special radio used for diagnostic services. The investigators used the equation of isotopes that correlations would have ornaments of special radio used for diagnostic services. The investigators used the equation of isotopes that correlations would have ornaments of special radio used for diagnostic services.

This investigation opened June 14, 1993. It involved 36 second requests, 148 interviews, 23 depositions, and the review of 910 boxes of documents that were submitted. There were ten lead and member-free officers, two paragraphs and two consultants—assigned to the matter. As the direct result of the work disclosed in this matter by the Division, it was called in the hands of all officers. Through its cooperation with the help of the first informant, investigative evidence on the "out-of" of confidential line.

4. New Western

In addition to an ever-increasing number of requests that the Division itself requires more resources with which to conduct its operations, the Division is also faced with the fact that the number of requests for information from the public is increasing. The Division is also faced with the fact that the number of requests for information from the public is increasing. The Division is also faced with the fact that the number of requests for information from the public is increasing.

ATTENDING PHYSICIAN

3. External Monitoring

The Dublin charges involved the murder of two hospitals in Dúnquinn, Inver, a case that went to trial on September 24, 1994. Like the other responses discussed, this one used an identified pre-complaint investigation. Pre-complaint, 77 interviews were conducted, 15 depositions (all video taped) were taken, and 74 boxes of 100-page bundles of documents were reviewed. Four interviews, two transcripts and three periphrasis conducted the investigation. On October 27, 1994, the court issued its opinion and order denying the Dublin's request for an abortion to block the merger, and entered judgment for the defendant. While the court ruled in the Dublin's favor on the merits, it found that the Dublin failed to present sufficient evidence to establish that the merger would be a serious and irreparable harm. The court also found that the Dublin failed to present sufficient evidence to establish that the merger would be a serious and irreparable harm.

In preparation for trial, 17 name defendants were taken (13 by the defendants, and the rest was obtained in two interviews, three conversations and three interrogations. Affidavits were obtained in this matter, as we have been adopting objective techniques designed to enhance our chances of winning a trial. These include: records for various (and not described) in this matter, multiple requests for information; and the assignment of two lawyers responsible for the defendant's game plan. While resources involved, this fact has enabled the Division to pursue these matters in the best interests of American consumers. Citing the defendant's decision, the judge decided against the government on October 22, 1995. The Division filed an appeal on January 11, 1996.

2. Preface and Preamble

[illegible]

3. Action Statement

On June 26, 1995, the U.S. District Court in Fayetteville, Arkansas, agreed with the Division and issued a permanent injunction against the merger of the Northwest Airlines Inland and the Morning News of Northwest Arkansas. The injunction enjoined an eight-day trial in which the Division contended that the proposed merger would lead to lower quality and higher prices for newspaper readers and advertisers. The Division based its trial on evidence that the merger would result in a newspaper that would be less competitive for newspaper readers and advertisers.

Client Record Management Challenges

In addition to the matters listed above, the Division recently has challenged mergers in a wide range of other industries. As an example of the many markets in which the Division is active, other matters have included:

(1) The bath heating industry, in which one of the nation's largest water heaters, Inverness-Fulton, Inc., 69% was awarded to supplies one of its major competitors, headquartered in the England, had only other operating in direct heat in certain U.S. markets and other new competitors with less productive items in other markets. Together, these two companies have had annual revenues of about \$1.2 million. The matter was passed partly by the Division and the Office of the Attorney General in Florida and Havana.

23 The above-mentioned industry, in which Eschscholtz Corp., agreed to a divestiture plan to achieving Division approved to acquire Milwaukee Junction Inc., from their World Airtouch settlement will also a monopoly in the sale of jet fuel from being established of Lambert Air Field in St. Louis.

Abstract

Land-O-Lake Publishing Corp. - The Division is investigating the proposed acquisition of two Key-O-Rings will processing facilities by Land-O-Lake Dishes Inc. These two dishes companies will each enter into the sale of both in school districts and other customers in the states of New Carolina, South Carolina, Tennessee, Kentucky, and Maryland.

[illegible][illegible]

Comment -- The Elderly : currently is broadening margins involving Northern States Electric and Caten Electric Cooperative.

[illegible]

8. CIVIL WORKERS AGREEMENT WITH

Resources Required. Major off-site-merger cases that produce major economic impact require a tremendous resource commitment. A failure to secure the necessary resources for strategic investigation, analysis, negotiations, and dispute resolution of projects prior to implementation practices. As a result, the economic benefits of full settling of these cultural cases far exceed the modest budgeting costs required. No **MAJOR** and **MINOR** cases demonstrate the resource commitment that is required on major negotiations to sustain a credible and meaningful off-site-merger restoration program. However, as the **MINOR** case demonstrates, particularly in contrast to the **MAJOR** case, inadequate staffing typically produces less, slower and, costly and inefficient negotiations.

[illegible]

The equipment, engineered by the Federal Reserve Bank of New York, is the first of its kind in the U.S. In addition, conversion will benefit from cutting technological improvements that the government already has made in the production and quality of the glass used in coin and metal banknotes.

The investigation that led to the important case and settlement began in April 1990, almost 1 year before the case ultimately was brought. The delay was attributable almost entirely to protracted litigation.

HOUGHTON MIFFLIN

[illegible]

Salmonellae of 240 cases and 49 controls in Minnesota; relatively sensitive and improved isolation on thiazolidine in percent.) I have recognized in the above is mandatory procedure designed to produce the same of under attack. As a consequence of this improved and sensitive program will bring a high degree of specificity in the high percentage needed, increased to 90 percent, compared with 70 percent in the previous program. The reasons for this have been given. A considerable amount of information was gathered and analyzed in a highly sensitive manner, and a consistent decision was suggested.

Twenty-two depositors were listed, the 13 most important of which were videotaped. In addition, several hundred interviews were conducted to secure essential information from Microsoft's competitors, manufacturers of personal computers, and independent software companies.

Only when the appropriate resources are devoted to investigating and proceeding only after critical actions can the Division maintain competition and innovation in our important high technology industries, as well as the confidence of consumers and businessmen in the fairness of our economic system.

Microsoft was notified by the Division that investigators had begun into two areas of alleged anticompetitive conduct and requested additional documents from the company through Civil Investigative Demands.

**University of Illinois
McGraw-Hill**

The Division has substantial responsibilities in the enforcement of current decrees against BMI and The American Society of Composers, Authors and Publishers (ASCAP) / Broadcast Music Incorporated (BMI).

EWING, A. S. C. A. P. 2001

[illegible][illegible]

FORWARD PASS

1. **Other On-going CMA Non-Treasury Investigations with Broad Consumer Impact**

The Division has a total of 46 non-merger investigations being pursued, including the following major matters. (CPI non-merger matters are handled under the Division's Bureau of Non-Merger Investigations, while the other matters are handled by the Division's Bureau of Criminal Investigation.)

A.C. Nielsen – Investigation into possible attempt to monopolize the United States market for syndicated services information collected from point-of-sale, scanners and supermarkets and sold to manufacturers for consumer-packaged goods. This market is expected to expand significantly in the future. The European Community is conducting a parallel investigation.

1. RECOMMENDED PACKAGING

A revenue related increase of \$129,000 is requested as a net without-aided program adjustment for the Preservation of Competitive Market Structure Program in 1997. The Division currently has 20 ongoing merger investigations and 44 ongoing oil net-meter investigations. No requested program growth will allow proactive enforcement of the critical laws. The additional resources requested will ensure effective market enforcement by allowing the Division to remain ahead of increasing workload.

The need for the program is based on the information

- The American economy is in the midst of a record-setting merger spree. In 1993, more than 1,000 companies announced a total of 1,217 mergers. Analysts predict that the trend will continue for years. The Wall Street Journal (July 2, 1993) reported that the volume of takeovers in 1993 is the highest and has just passed 20 percent above the same period in 1992. The level of (merger) activity is the highest since the leveraged-buyout craze of the 1980s — the current round of consolidation seems fundamentally different, however, from the 1980s bubble. It is driven in part by strategic concerns — among companies that in some industries — communications and health care, for example. "As noted in the same article, 'the ramifications will be felt far globally.' The Wall Street Journal (August 4, 1994, A-1). Unlike the conglomerate mergers of the 1960s, which usually did not involve direct competition, the "strategic" mergers of the 1990s often raise serious competitive issues. As a result, greater antitrust scrutiny of the new wave of mergers is required.
- The merger wave has focused on the telecommunications, defense, banking and health care industries, among others. In the U.S. economy and in which the Pentagon has taken a lead role in federal antitrust enforcement, *Monopoly and Superprofits in the Information-Highway Industry* (London: Ashgate, 1994) is a timely book. "A record \$22.9 billion worth of mergers and acquisitions in the information, communications, and entertainment industries were made last year (1993), according to 1994's *Pink Sheet*," the *Washington Post* (July 24, 1994) reported. "As the software business continues to mature, analysts say, companies are rushing to merge to combine resources and 'best-practices.'" *USA TODAY* (July 24, 1994) added, "The race to build the information highway is creating a flurry of tech mergers."
- The total number of 1993 transactions alone with anticipated 20-50% revenue paid for increased by 23 percent over 1992. These trends are expected to continue with annual estimates of a 10-15 percent increase through 1997.
- The number of company investigations has increased in 1994 — by 21 percent over 1993 — with additional increases projected through 1997. In 1993, the Division challenged 17 proposed mergers and successfully resolved 11, with two on file in litigation. Over 20 investigations currently are on-going. One measure of the increased intensity of these investigations is the number of second requests issued, compared to 48 in 1993.

ATTENTION TO VISION
PROCESSES AND FACTORS

- [illegible]

Frontend

ANALYSIS OF POLICY
IMPACTS AND BENEFITS

Auditation of Program and Performance

Policy Analysis, Legislation and Training

Policy Analysis, Legislation and Training

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Policy Analysis: Legislation and Training

Police Agency, Jurisdiction and Location	1994 Availability Multiplied			1997 Base			1997 Estimate			Increase/Decrease		
	PAIR, No	Weighted	Adjusted cases	PAIR, No	Weighted	Adjusted cases	PAIR, No	Weighted	Adjusted cases	PAIR, No	Weighted	Adjusted cases
Direct	26	27	\$2,549	26	27	\$3,467	26	27	\$3,467	--	--	\$--
Indirect	7	7	614	7	7	614	17	17	2,603	10	10	1,233
Prior Year Carry Over	26	26	2,729	16	16	1,804	16	16	1,804	--	--	--
Total	59	60	5,892	49	50	5,885	59	60	7,874	10	10	1,933

WOLFGANG PETERLIN

[illegible]

The Policy Analysis, Legislation and Training entity has been resources totaling 66 positions (including 25 attorneys), 49 workers, and \$4,927,300.

1. ACCUMULATIONS AND OFF-BOOK WORKING

A. International Local Audience

The Department operates in a world of global markets in which sound competition policy is a cornerstone of a free market economy. The critical laws of the United States are a model for competition policy that the world envies, and the enforcement policy of the Department has been invaluable in shaping the policies of our trading partners. The Division's workload in this area is expanding rapidly, as evidenced below.

Overhead

**ANNUAL DIVISION
BUDGET AND EXPENDITURE**

1. **International Incarceration.** The work of the Division is becoming more international in scope as world and domestic problems become increasingly intertwined, and as the Division develops closer cooperative relationships with foreign criminal agencies. A large and growing percentage of the Division's major, cartel, and transnational investigations each year involves foreign laws or policies or on fact-pool references. The number of criminal letters passed for the Division's international issues has increased by 113 percent between 1973 and 1974, and by 112 percent in 1975 as compared to 1974. The percentage of grand jury indictments against persons has increased from 1974 to 1975 by 200 percent to 1975. We have continued in 1974, and significant additional cases are projected. Moreover, the practice and legal issues involved in these international cases require significantly more attorney time than purely domestic cases.
2. **New Legislation.** The International Criminal Enforcement Assistance Act of 1974 (IAEAA), as amended in November 1974, greatly enhanced the Division's ability to obtain foreign-located criminal evidence, and accordingly focuses on the Division an obligation to obtain U.S.-sourced criminal evidence for foreign criminal agencies with which the Department recognizes criminal justice cooperative agreements pursuant to the IAEA. The Division is discussing the possibility of such agreements with several major foreign criminal agencies. These foreign agencies will, in turn, have to obtain foreign legislation similar to the IAEA in order to provide the Division with meaningful evidence. The Division anticipates that new agreements with four to five major foreign criminal agencies will be in force by the end of calendar year 1977.

We anticipate that in the early years of such agreements, we will receive scores of requests for evidence each year to foreign agencies and receive an equivalent number of requests for evidence from these agencies. We further anticipate that nothing and responding to such requests under the new IAEA will raise numerous procedural and legal issues that will require substantial attorney time over existing requirements. The result, of course, will be that the Division will be able to obtain foreign-located evidence that it cannot now obtain.

AND THAT WE HAVE INTERNATIONAL CRIMINAL CASES THAT WE CANNOT NOW OBTAIN IN THE YEARS OF CRIMINALS

Major Matters with International Aspects	1977				
	1978	1979	1980	1981	1982
	16	24	40	40	30

9/10/80

**ADMINISTRATIVE INFORMATION
RECORDS AND REPORTS**

	1978	1979	1980	1981	1982	1983	1984	1985	1986	1987
On-Going Guard Juris Granding of start of year)	144	113	99	84	94	94	94	94	94	94
On-Going Guard Juris with International Aspects	14	23	26	27	23	3	3	3	3	3
% of Guard Juris with International Aspects	9.7%	19.8%	26.2%	30.2%	24.1%	3.2%	3.2%	3.2%	3.2%	3.2%

2. Japan

The Division has been actively supporting the Administration's objectives to secure international business to help and open trade are obstructed. The Japanese criminal laws are similar to those of the United States, but enforcement of the Antitrust Act, the key antitrust law in Japan, has in the past been sporadic. As a result, there is a perception that price fixing, bid rigging, market allocation and group boycotts occur with some frequency in Japan, and that these practices contribute to the difficulties faced by American companies seeking to penetrate Japanese markets. Talks with the Japanese that have focused heavily on anticompetitive practices by Japanese firms that have hampered the ability of U.S. firms to compete in Japanese markets, and on efforts by the U.S. to obtain improved antitrust enforcement by Japan.

The Japanese have agreed to stronger enforcement of their Antitrust Act, including increased use of criminal enforcement and tougher penalties for antitrust violations. The Japanese have also agreed to provide more detailed remedies for antitrust violations. The Division has been involved significantly in these ongoing policy issues and will continue to be involved in the future.

South American Regional Initiatives. Division personnel are participating in an interagency group, chaired by USIA, examining Ecuador's allegations that Fujita has engaged in anticompetitive practices in the Japanese market and have limited Ecuador's participation of that market, and that the Government of Japan has benefited from anticompetitive practices. Division staff attended an IBC Dispatch meeting on February 2, 1986, where USIA laid out some of the options for pursuing the matter. It is likely that there will be other high-level interagency discussions within the next several weeks to determine which alternative should be pursued.

3. Richard A. Miller Antitrust Agreement

European Union (EU). In September 1981, the Department of Justice and the Federal Trade Commission signed a bilateral antitrust agreement with the Commission of the European Communities (CEC). This agreement provides for the exchange of information and cooperation in the enforcement of their domestic antitrust laws. The Division has primary responsibility for monitoring the agreement on behalf of the Department and is working in close coordination with the other agencies involved in the agreement, including the Federal Trade Commission. The Division is working with the EU to ensure that the agreement is implemented in a manner which is consistent with the Department's antitrust policies and can be enforced.

87/00140

ANTITRUST DIVISION POLICY AND PRACTICE

Canada. In August 1994, the Department of Justice and the Federal Trade Commission signed a new antitrust cooperation agreement with Canada, replacing a 1984 agreement of the same type. The Division is currently negotiating the agreement with the FTC. The new agreement will include the provisions of the previous agreement and will provide for increased cooperation between the U.S. and Canada and, it is anticipated, pave the way for a U.S.-Canadian International Antitrust Enforcement Assistance Act agreement.

How Mutual Assistance Agreements Involving Passage of the International Antitrust Enforcement Assistance Act of 1994 (IAEAA), the Division has begun discussing the possibility of bilateral agreements with several countries. As these agreements are negotiated and put into effect, the Division will assume responsibility for not only providing investigations in cooperation with foreign countries, but also responding to requests for assistance by those countries as they pursue investigations concerning American businesses. During 1995, the Canadian government proposed amending Canada's antitrust law to IAEA-type provisions, and the EU stated its interest in the possible negotiation with the U.S. of an IAEA agreement. In addition, the Division is discussing the possibility of IAEA agreements with antitrust authorities of a number of other governments.

4. North American Free Trade Agreement

In December 1994, the North American Free Trade Agreement among the U.S., Canada, and Mexico was approved. Division attorneys spent a significant amount of effort participating in the negotiations in order to ensure that U.S. competition interests are well served by the agreement. As implementation issues are considered, the Division continues to devote resources to monitoring and supporting the NAFTA process. The Division also is participating in competition policy aspects of the NAFTA accession talks with Chile.

5. The Department's Antitrust Enforcement Guidelines for International Operations

In 1994, the Division and the FTC issued joint **International Guidelines**. These guidelines revised and updated previous guidance and required a substantial revision of antitrust law in the U.S. and foreign countries. The guidelines are intended to help U.S. and foreign businesses understand the antitrust laws of the U.S. and foreign countries and to help U.S. and foreign businesses understand the antitrust laws of the U.S. and foreign countries. The guidelines also help answer questions that U.S. and foreign businesses may have relating to the Agency's international antitrust enforcement policy.

6. Implementation of the Omnibus Trade Act of 1980

The Division has taken the lead on behalf of the Department in the interagency process of implementing the Omnibus Trade Act of 1980, which has imposed tight deadlines on the Administration for making important decisions about many aspects of U.S. foreign trade policy. The Division has an important role to play in holding the solutions to trade disputes that emerge from the trade and process should not include government-encouraged price-fixing and market allocation schemes, and that U.S. trade policy should continue to maintain the interest in which U.S. firms and U.S. markets remain competitive. The Division also needs to ensure that any competition-related provisions that are included in bilateral or multilateral trade agreements are consistent with U.S. antitrust law and otherwise appropriate.

ANTHONY DIVISION

7. OECD Committee Law and Policy Committee

The Division has sponsored the "United States' Policy" series¹ which was initiated by the U.S. delegation of the Organization for Economic Cooperation and Development (OECD) Competition Committee meetings. The Division initiated and has led the U.S. delegation on an important new project on convergence and competition in merger review and chairs the Committee's working party on international cooperation. OECD countries, working with central authorities from the United States and other countries, have prepared some studies of major antitrust issues and other considerations that have been reviewed by means that one country's report comprises the next country's recommendations have handled the problem of particular interests, with the goal of ensuring that the review process is better coordinated among countries; the report also contains summaries of the Committee's US discussions of future meetings. This project has the potential to enhance international cooperation on merger review and lead to more uniformity in the range of antitrust enforcement policies. In 1976, representing its inter national Division functions, the OECD issued the World Bank study on international cooperation and encouraged member countries to develop similar antitrust cooperation and coordination through expanded sharing of investigative information.

Clean Technology Initiative. The Division is participating in a joint effort of the countries in the Organization for Economic Cooperation and Development to accelerate development, application and diffusion of climate-friendly technologies.

2. Joint Experiments with Foreign Governments

The Division has responded to many requests from competition agencies in other countries, including the countries of Latin America and Eastern Europe, for information on U.S. antitrust enforcement and policy. In 1987, the Division received 11 such requests. Of these, 10 were from countries with which the Division has had extensive consultations with the BEI and Canadian antitrust authorities. These consultations helped to cement already close relationships between the respective agencies, which have many similar antitrust concepts.

9. Further Practice

The formation of democratic governments in Central and Eastern Europe has prompted questions for academic and consultation on competition policy. Working closely with the Department of Trade and with funding provided by the Agency for International Development (AID), the Division has been able to implement an assistance programme for three emerging democracies. During 1993, 1994 and 1995, Division officials met with senior officials of the Polish, Hungarian, Czech, Slovak, Bulgarian, Romanian, Estonian, Latvian, and Lithuanian governments at the request of these countries to provide advice on the formation of a free market and the transition to a market economy. In addition, the Division has been able to provide technical assistance to the Czech Republic, Slovakia, Hungary, Poland, and Lithuania in the area of competition policy. In addition, the Division has sent short-term experts to Poland, the Czech Republic, Slovakia, Hungary, Romania, Lithuania, Latvia, and Estonia to assist in the development of competition policy. During 1992, 1993, and 1994, the Division also hosted short-term visits by Washington by the heads of the Polish, Slovak, Hungarian, Romanian, Lithuanian, and Estonian competition agencies to discuss central issues. The Division's last 'road show' competition policy tour was held in 1995. The Division's assistance programme is scheduled to be phased-out in 1996, and plans have been made to retain the current two staff members providing 'country assistance' to Division clients.

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**AMERICAN DIVISION
BUSINESS AND FINANCE**

10. Technical Assistance to Latin American Countries

During 1994, 1994, and 1995, the Division has responded to requests for assistance by Latin American countries. The Division has been the lead of the new Venezuelan agency in Washington to discuss administrative and organizational issues. The cooperative relationship established during that year led to a later year Venezuelan President Ponce to former President Bush requesting further U.S. assistance to Venezuela on competition issues, and AD provided the Division and the PIC with funding for a number of technical assistance missions to Caracas, and Interim in Washington for Venezuelan officials. The Division has not yet responded to Venezuela at the request of the Venezuelan agency to assist and advise on particular areas of technical assistance. Following consultation with AD, we furnished this assistance program at the end of 1995, and reduced the one and a half year currently dedicated to this program to 18 months.

The Division is developing a solid relationship with Mexican competition officials who will enforce that country's new competition law; the Division has hosted Mexican competition officials as interns in 1994 and 1995 and anticipates that Mexican and U.S. officials will establish a more formal cooperative working relationship in the coming year.

a. Research Policy

The following are recent examples of the Division's work in shaping, influencing and enforcing policies to protect and preserve competition within the American economy.

1. Health Care - Antitrust Enforcement Policy Statements

The Division continues its major effort to provide antitrust guidance to the health care community through policy statements on mergers, joint ventures, and other collective conduct among hospitals, doctors, and other health care providers. Such guidance also is a major priority of the Administration's health care reform efforts and other supporters of antitrust enforcement in the health care sector. Six statements were issued jointly with the FTC in 1992; additional statements and supplements were issued in 1994. On September 27, 1994, the Division issued **Statement of Enforcement Policy and Antitrust Principles Relating to Health Care and Health Care Providers**.

Expedited business review procedures have also been included for health care mergers and the number of business review requests continues to grow. The need for additional work in this area will continue for several more years, as health care markets continue to evolve.

2. Intellectual Property Guidelines

On April 6, 1995, the Division issued **Antitrust Guidelines for the Protection of Intellectual Property**. These Guidelines clarify the approach that will be taken by both the FTC and the Division to protect competition for technology and innovation markets. They serve both to direct the Department's enforcement efforts and decisions in this critical area and give guidance to the business community. The revision of the guidelines directed enormous efforts in the business community and the law. Intellectual property is the driving force of economic progress today and will continue to be so in the next century. It was critically important that antitrust enforcement policy with respect to intellectual property was both effective and carefully tailored.

a. Research Policy

The Division is participating in the OMB Interagency Task Force composed of representatives from DOJ, EPA, OMA, and DOD. The participants are discussing administration policy on proposals concerning the Public Utility Regulatory Policy Act (PURPA).

STANDARD

ADMINISTRATIVE POLICY AND PROCEDURE

4. Legislative Guidelines

An important ongoing domestic policy project involves implementing key new Executive Guidelines for individual and organizational activities in 1972. Individual and organizational activities have been and will continue to be reviewed by the Division's staff in order to ensure that they are consistent with the Executive Guidelines. The Division's staff will continue to monitor and report on the progress of these activities. The Division's staff will also continue to monitor and report on the progress of these activities. The Division's staff will also continue to monitor and report on the progress of these activities.

5. Domestic Legislation and Enforcement in Relation to Members of Congress

The Division's legislative program within the Department of Justice is to ensure that all legislative proposals are consistent with the Executive Guidelines. The Division's staff will continue to monitor and report on the progress of these activities. The Division's staff will also continue to monitor and report on the progress of these activities. The Division's staff will also continue to monitor and report on the progress of these activities.

Health Care Legislation. The Division's staff will continue to monitor and report on the progress of these activities. The Division's staff will also continue to monitor and report on the progress of these activities. The Division's staff will also continue to monitor and report on the progress of these activities.

6. Domestic Legislation

Domestic Legislation. The Division's staff will continue to monitor and report on the progress of these activities. The Division's staff will also continue to monitor and report on the progress of these activities. The Division's staff will also continue to monitor and report on the progress of these activities.

Domestic Legislation. The Division's staff will continue to monitor and report on the progress of these activities. The Division's staff will also continue to monitor and report on the progress of these activities. The Division's staff will also continue to monitor and report on the progress of these activities.

APPROVED APPROACH

Other recent legislation has significantly improved and accelerated the nation's cultural laws. Recent changes increased maximum fines for police brutality and helped aging by encouraging and facilitating private public development in the United States when it is the United States that is the United States. The Department has also been instrumental in the City of Los Angeles concerning housing developments. The Division has helped in the development of the Department's position, presenting testimony for Congress on the bill, and, in some cases, conferring with other legislative branch agencies in formulating the Department's position, presenting testimony for Congress on the bill, and, in some cases, conferring with the Department's Office of Legislative Affairs, explaining the proposals to Congressional staff members.

C. Unlawful Detention

The training programs that the Division has implemented are in direct response to employee concerns. The Division had a great success record in the survey areas of Management Development, Training, and Career Development. The Division's management has taken the initiative to address training programs that are providing the Division's operating teams with the skillful edge they need in order to win against the rest of the highest paid, top names chemistry in this country. In addition, emphasis on management training is one of the Division's major priorities, to ensure that it gets the best out of trained personnel.

Chaired

AMERICAN SOCIETY
OF POLICE AND BUSINESS

Association of Program and Performance

Competition Advocacy Program

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Competition Advocacy Program

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H. Bank Merger Screenings	

ANTHONY D'AMICO

Competition Advocacy Program

Commission Advance Expense	1996 Availability Anticipated			1997 Base			1997 Estimate			Increase/Decrease		
	YR/MT. PCT	WEEK/YEAR	AMOUNT (\$000)	YR/MT. PCT	WEEK/YEAR	AMOUNT (\$000)	YR/MT. PCT	WEEK/YEAR	AMOUNT (\$000)	YR/MT. PCT	WEEK/YEAR	AMOUNT (\$000)
Direct	14	13	\$1,445	14	13	\$2,218	14	13	\$2,218	--	--	0--
Indirect	1	1	61	1	1	61	7	7	784	6	6	723
Prior Year Carry Over	16	16	1,405	9	9	682	9	9	682	--	--	--
Total	30	29	3,325	30	23	2,941	30	29	3,642	6	6	723

1. BASIC PROGRAM DESCRIPTION:

As an element of competition, the Antitrust Division seeks the elimination of unnecessary regulation and adoption of the most competitive means of achieving a sound national economy through participation in free markets. The Division actively monitors the pending actions of Federal regulatory agencies through a review of those agencies' decisions and intervention in regulatory agency proceedings. The Division also monitors the pending actions of Federal regulatory agencies through a review of those agencies' decisions and intervention in regulatory agency proceedings. The Division also monitors the pending actions of Federal regulatory agencies through a review of those agencies' decisions and intervention in regulatory agency proceedings.

The Division has responsibility for the enforcement of the criminal laws and the execution of the competition relating to transportation, energy production and transport, agricultural products, and the protection of the health care system, intellectual property rights (e.g., copyrights, trademarks, and patents) and labor relations problems. In addition, the Division has jurisdiction over the regulation of the advertising of pharmaceuticals, the regulation of the advertising of newspapers, pharmaceuticals, and educational institutions. The Division has participated in proceedings before such agencies as the Department of Transportation, the Federal Maritime Commission (FMC), the Federal Trade Commission (FTC), Surface Transportation Board (STB), Federal Energy Regulatory Commission (FERC), the Department of Agriculture, the Federal Reserve Board, Office of Thrift Supervision (OTS), Securities and Exchange Commission (SEC), Commodity Futures Trading Commission (CFTC), Office of the Comptroller of the Currency, National Credit Union Administration, Securities and Exchange Commission (SEC), Commodity Futures Trading Commission, Federal Communications Commission (FCC) and the Postal Service Commission. In addition, the Division is responsible for furnishing advice concerning surplus property disposal and the sale of surplus of Federal lands, including oil, gas, and coal reserves. The Division has certain uncodified duties, including statutory responsibility to review 51 g.p. variant code titles or issues of Federal lands, including oil, gas, and coal reserves. The Division is also required to monitor and issue reports on International Trade Commission (ITC) matters, and to monitor and issue reports on International Trade Commission (ITC) matters, and to monitor and issue reports on International Trade Commission (ITC) matters. This is not a regulatory function for the Division, which also investigates and/or litigates violations as well as reviews proposed requests in these industries.

Continued

**ADMINISTRATIVE DIVISION
REVENUES AND EXPENDITURES**

Authority for these various activities is found in 28 C.F.R. 90.40; the Federal Coal Leasing Amendments Act of 1974, 93 Stat. 1164; the Energy Act of 1974, 93 Stat. 1164; the Federal Aviation Act, 49 U.S.C. 1101-1117; the Federal Land Management Act, 16 U.S.C. 1701-1717; the National Housing Act, 12 U.S.C. 1701-1717; the Older Community Development Act, 42 U.S.C. 5011-5017, et seq.

The Competition Advocacy Program activity has been resources totaling 34 positions (including 14 attorneys), 33 workyears, and \$2,941,000.

B. ACCOMPLISHMENTS AND ON-GOING WORKLOAD:

	1976	1976	1976	1976	1977
	1976	1976	1976	1976	1977
Meetings on Interagency Task Force	99	84	60	60	30
					90

A. Federal Communications Commission. The Division has been active in a number of proceedings before the Federal Communications Commission (FCC). In these proceedings, the Division has advocated the introduction of greater competition in areas of telecommunications still characterized by substantial market power, and the reduction of unnecessary regulatory burdens in areas where competition has developed.

The FCC is in the process of presiding over various parts of the Telecommunications Act of 1994. The Antitrust Division is advising the FCC on various sections of the Act, which includes but is not limited to the long distance market. In particular, the Division is advising the FCC on procedural aspects.

The Division has participated in FCC proceedings that recently culminated in the reduction of regulatory burdens on network ownership of programming. The Division also has filed comments in the FCC's proceeding to establish a regulatory framework for Personal Communications Services (PCS), a new wireless service that may provide competition to existing cellular systems. This case recently has concluded with merger and has become a major workload area for the Division that is closely affected by the increase in the Division's Market Structure Program. The Division also has encouraged the FCC to allow new firms into the business of providing access to the local telephone exchange network. The Division meets frequently with FCC staff to discuss issues of mutual interest relating to antitrust enforcement efforts and regulatory initiatives that have competitive implications.

The Division's competition advocacy efforts of the FCC over the past year were largely successful. During the next year, the Division is likely to continue its participation in ongoing FCC proceedings that present avoidable competitive issues for telecommunications, including local exchange competition.

B. Securities Trading. The Division has actively consulted with the Securities Exchange Commission about the best manner in which the Commission might reform trading on the over-the-counter market to protect consumer and promote competition.

C. Health Services. The Division is consulting with the Department of Health and Human Services (HHS) in connection with a 1993 rule making proceeding involving the manner in which hospitals qualifying for Medicare payments can provide incentives to private physicians to shorten patient stays. We are advising HHS on the best ways of promoting competition as a means of facilitating achievement of HHS statutory goals.

ATTENDING PHYSICIAN

D. Possible Commerce Commission (CC) Award

Refused merger — **Refusion Hoffman & Sons Inc.** On June 29, 1994, the Division filed its final bid in the proceeding before the Interstate Commerce Commission (ICC) concerning the proposed merger of its trucking and warehousing units with those of its rival, **North American Van Lines Inc.** The Division urged the Commission to impose conditions granting **Refusion** the right to haul freight for its customers in the United States, Canada, Mexico, Central and South America, Europe, Africa, Asia, Australia, New Zealand, and the Pacific Islands. **Refusion** further urged the Commission to enter the merger with the understanding that the Commission would not allow for competition of per-mileage levels. On August 26, 1994, the ICC approved the merger subject to conditions that reflected our concerns.

Advised Jury Trial - Will Level Before Post: On September 21, 1994, the Division filed Comments with the ICC opposing a broadening of criminal immunity requested by the Will Level raters. The ICC-approved pooling agreement among its competing railroad, the broadened immunity would allow the pool members to agree on the number of raters that would contribute to the pool. The stated purpose of the pool was to reduce empty backhauling of railcars used to carry motor vehicles and auto parts by using central distribution terminals to route empty railcars to the nearest point of need rather than back to the point of origin. Although the proposed pool would determine independently the number of railcars it would designate for pool use, our comments argued that output decisions such as number of railcars each railroad designates for the pool should not be decided objectively by competition absent a showing that no less anticompetitive approach is available to achieve the railroad's legitimate benefits.

Interstate Commerce Commission Termination Act of 1995: Legislation to amend the ICC was signed into law on December 20, 1995 (ICC Termination Act of 1995). The bill eliminates the ICC, transferring many of its functions to a new Surface Transportation Board located within the DOT.

[illegible]

E. Department of Academic Affairs

[illegible]

8/7/68

ADMINISTRATIVE POLICY AND PROCEDURE

F. Federal Bureau of Investigation (FBI)

Executive Order 11652, September 1965. On March 2 and April 2, 1965, the Division had comments and reply comments with RSC in its proceeding on alternative power plant technology. Our initial comments, recommended that, to help foster competitive, deregulated generation markets, RSC adopt policy guidelines that would encourage vertically integrated electric utilities to form regional "pools" -- an entity that encompasses voluntary shut down capacity purchases and sales by dispatching generating plants voluntarily without regard to the plant or the transmission line. Forming a properly structured "pool" would serve the public interest by providing electric generation capacity and transmission and distribution facilities. This will significantly lessen the opportunities for competitive electric and coal plant construction or later legislative deregulation of the electric utility generation sector. The reply comments emphasized the importance of the "pool" in facilitating a competitive and deregulated market in the generation of electricity.

Electric Power Industry. On August 2, 1965, the Division had additional comments in a RSC proceeding on increasing competition in the electric utility industry. RSC proposed to require electric utilities, which are vertically integrated from generation to local distribution, to provide transmission service to other generators on an open access, non-discriminatory basis. The Division's comments endorsed RSC's goal of promoting competition but noted that a less regulatory, more deregulated approach. In particular, the Division urged RSC to require utilities to separate ownership and control of their generation facilities from their control (and not ownership) of transmission facilities. This would remove the utility's ability to discriminate against other, potentially lower cost or more efficient generators.

G. International Trade Commission (ITC)

International Trade Commission (ITC) Issues. The Division is participating in an inter-agency working group that is making a comprehensive look at policies affecting international trade and investment. The working group is examining the status of these policies and identifying regulatory barriers that may be hindering U.S. competitiveness.

International Trade Commission (ITC) Issues. The Division is participating in an inter-agency group that is considering the competitive and other economic/social implications of the ownership and operation of telecommunications facilities.

Oil and Gas Issues. The Division is participating in a task force with representatives of the Departments of Interior, Commerce and Energy to study the Department of Interior's investigation of allegations of underpricing of crude oil produced from Federal and state oil and gas leases in California. If the allegations have merit, the major oil companies involved may use the United States substantial amounts of oilfield royalty payments. The role of the Division is to assist in the efforts to determine whether the underpricing was a result of collusion among the major oil companies.

Oil and Gas Issues. The Division is representing the Department on a task force composed of representatives of DOE, EPA, GSA, and OGC which discusses energy policy issues, such as proposals to report or return the Public Utility Regulatory Policy Act (PURPA) and the Public Utility Holding Company Act (PUHCA).

Export Policy. The Division is participating in discussions regarding Japan policy under the direction of the National Economic Council (NEC). The Division also provides advice in the area of legal matters falling within its responsibilities.

Intellectual Property. The Division is an active participant on a NEC interagency task force exploring possible legislative proposals regarding intellectual property. The task force also is designed to allow different agencies to coordinate their activities in the field of intellectual property.

7/7/87

ANTITRUST DIVISION POLICIES AND PROCEDURES

Activities: Representatives of the Division are participating in an NEC working group on the 1987-88 antitrust policy. The body is one of the most productive antitrust working groups between the US and a major trading partner. The working group is preparing an outline paper analyzing different approaches to 1987-88 antitrust regulations. The Division's role in the discussion is to ensure that U.S. consumer interests are taken into account in evaluating different options.

NEC/NEC meetings on the participation of the U.S. International Competition (NEC). The Division is a regular participant in the NEC/NEC biweekly just force regarding the participation of the U.S. International Competition (NEC). The task force coordinates various operations to deal with national security issues, competition policy issues, and the budgetary impact of the participation.

The Division's best opportunities to protect competitive markets from cartel activity, to make markets more competitive by reducing unneeded regulation, and thus to improve consumer welfare, lie in vigorous pursuit of two major antitrust enforcement and competition advocacy. The latter program also serves to support one of the most important components of the Division's mission and has significant potential to 1987 business industry, competition and investment hundreds of millions of dollars annually by eliminating or reducing regulatory requirements that discourage change and development associated with competition.

H. Bank Market Penetration

Participation in Bank Market Penetration	1977		1978		1979		1980		1981	
	1977	1978	1979	1980	1981	1977	1978	1979	1980	1981
Total Screenings of	1,373	1,373	1,373	1,373	1,373	1,373	1,373	1,373	1,373	1,373
Screening Requiring Competitive Analysis	1,381	1,177	1,211	1,208	1,200	1,200	1,200	1,200	1,200	1,200

a/ Total screenings includes review of bank, retail, bank holding company, and retail holding company mergers and acquisitions and applications and approvals for bank holding companies to engage in non-depository activities.

Under the Bank Merger Act, the Bank Holding Company Act, and the Home Owner's Loan Act, the Department has the statutory responsibility to provide bank regulatory agencies with a report on the competitive effects of all depository institution mergers and acquisitions transactions that are submitted to these agencies for approval. As shown on the preceding chart, during 1981 the Division reviewed 1,377 bank merger applications. The great majority of bank merger applications were sent by the Division do not raise any substantial competitive concerns. However, in order to reach any decision on competitiveness, the Division must investigate and analyze these applications thoroughly. The number of bank mergers reviewed increased steadily over the last few years and the size and complexity of the transactions reviewed is increasing, and are the expected to increase further as changes in banking laws and technology provide for more consolidation in the banking industry. As reported in the Washington Post, April 28, 1981, "Taken by Surprise," government regulation, the booming stock market and demands changes in financial technology, banks are emerging as a second power."

07/20/84

**AMERICAN OVERSEAS
BANKING AND FINANCIAL**

In 1983, the Division investigated and received confidential sources by disclosure for investigations involving American Overseas Banking Corporation's acquisition of Chase Manhattan Bank; American Overseas Banking Corporation's acquisition of Southern National Corporation; American Overseas Banking Corporation's acquisition of Laidlaw Brothers; and American Overseas Banking Corporation's acquisition of Southern National Corporation. American Overseas Banking Corporation's acquisition of Laidlaw Brothers and American Overseas Banking Corporation's acquisition of Southern National Corporation are pending. Including the recently announced merger of American Overseas Banking Corporation and Chase Manhattan through a \$10 billion stock swap which, if completed, will create the largest bank in America with assets of \$277 billion. Among the major bank mergers that have been thoroughly investigated by the Division but not challenged were the mergers of First Union and First Fidelity, Bank of America and Continental Bank, and First Chicago and NAB.

Efficient

**ANALYSIS OF THE
EFFECTS OF THE
ADDITIONAL OF PROGRAMS AND PERFORMANCE**

Management and Administration

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ADMINISTRATIVE
SUPPORT AND SERVICES

Management and Administration

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87/continued

ANTHONY DIVISION
Personnel and Resources
Management and Administration

Management and Administration	1996 Availability Anticipated		1997 Base		1997 Schedule		Increase/Decrease	
	TEAM POS	WEEKLY POS	TEAM POS	WEEKLY POS	TEAM POS	WEEKLY POS	TEAM POS	WEEKLY POS
Direct	29	26	29	26	29	26	0	0
Indirect	7	7	7	7	10	10	3	3
Prior Year Carry Over	27	27	16	16	16	16	0	0
Total	63	60	52	49	55	52	3	3

I. SAME PROGRAM DESCRIPTIONS:

The program provides for the overall direction and management of the Anthony Division, including the supervision and administration necessary to support the Division's ongoing mission. Top management provides policy guidance, administrative control, and directs the full range of Division activities. In addition to specific case direction, management officials direct the overall administration and management of the Division, determining the allocation of a finite amount of resources among competing programs to meet the Division's needs. Management also oversees the Division's internal affairs and ensures that the Division's operations are in compliance with applicable laws, regulations, and policies. Management and administrative support is required to ensure effective control and management of Division resources and to provide the services and tools needed by the operating staff to do its job.

The Management and Administration activity has base resources including 52 positions (including 6 attorneys), 51 workyears, and \$4,225,000.

II. RECOMMENDED REVISIONS:

Over the past two years, the structure and personnel of the Division have been changed in a concerted drive to streamline, reduce layers of bureaucracy, flatten management structure, and stimulate high-performance practices. In the Division's application of "streamlining government," the following changes have been selected:

- **Streamlining Government:** The Division has applied the techniques of consensus-building, early setting of goals and priorities, and "streamlining the hierarchy." Responsible managers meet with the operating staff early in the course of each case to identify and answer policy questions, to agree on the scope and scope of the investigation, and identify desired outcomes and key issues. These efforts have increased efficiency and significantly enhanced the Division's enforcement mission by involving unnecessary effort and by focusing resources only on important matters for investigation and resolution. In addition, many of the personnel processes formerly required have now been revised, providing for shorter and more effective internal memoranda for such purposes as status reports, case recommendations and requests for compulsory process.

INTERNATIONAL DIVISION

- **Reduction of Litigation Expenses.** The Division has reduced the costs associated with its litigious activities by type of enforcement, e.g., criminal, racket, and drug enforcement. Litigation costs have been reduced primarily by the use of plea bargaining with each section having its own attorney, prosecutor, negotiator, and regulatory lawyer. Advantages of the management are an increased ability to handle complicated cases, improved management of case priorities and resources, and increased experience of Division attorneys. Additionally, the Division has created reward lists to enhance its ability to investigate and bring cases involving complex conspiracies central but are not suitable for criminal prosecution.
- **Investments in Training for the Division.** Approximately 140 new participants have been hired in the past two years by the Division. These participants have increased the resources of the Division by providing audit, enforcement, and dispute support, leaving staff attorneys to do prosecutive work and increasing the costed they can handle. To make maximum use of the new talent, the Division has established a participant pool from which resources can be directed as necessary in order to meet workload demands. In addition, a Division-wide training program has been established and the participant pool can be rotated by staff attorneys and participant divisions per day and by geographic area. This program has been successful in providing the Division with a flexible and regulated apparatus to create the necessary and immediate transfer of both new and experienced resources to the Division. This program has been successful in providing the Division with a flexible and regulated apparatus to create the necessary and immediate transfer of both new and experienced resources to the Division.
- **Cooperation with the Media.** Of continued importance is the Division's program to work more closely with the media, increasing cases to them when appropriate, and increasing its relations with state attorneys general on matters of mutual interest. This program has met with significant success, including the filing of joint lawsuits by the Division and State Attorneys General, and the transfer of smaller, liability-specific matters to the states for coordination.
- **Increased International Criminal Prosecution.** The Division has established a 5th Deputy Assistant Attorney General position for International Criminal Prosecution. The Deputy serves to guide the Division's efforts with respect to trade issues, cooperation with foreign government authorities, international criminal guidelines and other policy, and international investigations and cases.
- **Investments in Management Information.** The Division has taken a strong lead in providing its managers with the lighting they critically need in order to effect management procedures that ensure maximum efficiency. Managers have observed talented members dealing with such issues as motivation and delegation to gain a new appreciation of the critical role they play in the organization. An expert in the management and supervision of legal work is providing intelligent coaching and consultation to both the Division's senior management and each section and office, contributing evaluations of their operations, allowing managers to assess their policies, thoughts and weaknesses. Building on the basis, Division managers and staff are being challenged to reassess old operating methods and improve effectiveness. The Division's managers are providing regularly to discuss how best to manage change in the management of the Division and to provide valuable employee suggestions. These efforts have allowed the Division to keep abreast of the latest management developments and to make changes in management steps that are efficient, represents and future in employment, and thereby ensure change designed to improve and enhance the Division's effectiveness.
- **Litigation Costs.** The Division has initiated a comprehensive litigation costs tracking program. A litigation costs course modeled on the widely-revered National Institute of Trial Lawyers (NITL) program was initiated, and approximately 200 Division lawyers and law-firm attorneys have participated. As a matter of position, and of investigation now routinely conducts a month hearing prior to the filing of a complaint. In addition, the Division had highly successful under Litigator's Conference in 1994 and 1995, which allowed the Division's most experienced litigators to meet to discuss particular problems in trying criminal cases and share possible solutions.
- **On-going Research and Analysis.** In addition to continuing the programs outlined above, the Division currently is examining the problem of its associated staff in order to determine the most effective way to manage the Division's staff. The Division is also examining the problem of its associated staff in order to determine the most effective way to manage the Division's staff. The Division is also examining the problem of its associated staff in order to determine the most effective way to manage the Division's staff. The Division is also examining the problem of its associated staff in order to determine the most effective way to manage the Division's staff.

Standard

ANTITRUST DIVISION Policies and Procedures

B. ACCOUNTING METHODS AND COST-ACCOUNTING METHODS

Throughout 1993, 1994 and 1995, the workload of the Antitrust Division has continued to increase phenomenally. The management of the tremendous increase has been achieved through the aggressive strength and administration of the Division by its senior managers and administrators, who have overseen the management, accounting, presentation, coordination, and integration of the Antitrust Division in support of competition enforcement both domestically and internationally.

As the result of these efforts, virtually all aspects of the Antitrust Division's operations have been and are being streamlined and revised as necessary in order to ensure a strong and consistent program of antitrust enforcement and the maximization of all available resources in order to pursue the mission.

A. Enforcement Initiatives

Horizontal Guidelines Issued March 28, 1995 - The guidelines outlined steps to be taken by the Division and Federal Trade Commission to determine the Hart-Scott-Rodino premerger review process without receiving excessive merger enforcement to the benefit of American consumers and businesses. It included eight major steps designed to make the entire premerger review process quicker, more efficient and less costly, and resulted from intense evaluation by both the Division and the FTC, as well as discussions with the private bar and business groups.

Intellectual Property Guidelines - Major Policy Statement Issued April 1995 - This was a major effort to clarify the Division's position on the application of antitrust laws to intellectual property licensing (e.g., patents of software, trademarks, trade secrets, and, in a lesser extent, trademark law). These Guidelines clarify the approach that will be taken by both the FTC and the Division to market definition for technology and innovation markets. They serve both to direct the Department's enforcement efforts and discussion in the critical area and give guidance to the business community. The revision of the guidelines allocated enormous talent in the business community and the bar. Intellectual property is the driving force of economic progress today and will continue to be so in the next century. It was crucially important that antitrust enforcement policy with respect to intellectual property was both effective and carefully tailored.

International Guidelines - Major Policy Statement Issued April 1995 - On April 5, 1995, the Division and the FTC jointly issued new Antitrust Enforcement Guidelines for International Competition. In the past, the Division and the FTC have not each had a policy statement that clearly set out the Department's approach to help stop international anticompetitive practices that hurt U.S. businesses and consumers. The Guidelines also help answer questions that U.S. and foreign businesses may have relating to the Agencies' international antitrust enforcement policy.

Corporate Leniency Policy Reaffirmed - Issued in August 1993, this revised policy expanded the Division's 1973 policy not only to allow corporations that are the first to disclose that involvement in criminal violations prior to the beginning of a government investigation into the violation, to avoid prosecution under certain circumstances, but also to make leniency available to corporations that come forward after the initiation of a government investigation. The revision served to increase the number of corporations that come forward from an average of one per year from 1978-1993, to 16 requests for corporate leniency over the past 24 months.

Issued Individual Leniency Policy on August 10, 1994, based on the success of the recently expanded Corporate Leniency Policy. As with the Corporate Policy, the Individual Policy will maximize the need for early investigation and litigation and limit the amount of resources necessary to search for and identify potential violators. This policy has resulted in two individuals coming forward to date.

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ADMINISTRATIVE POLICY AND PROCEDURE

Voluntary Reporting Guidelines: These Guidelines, which provided to various agencies involving firms within the same chain of distribution of a product, were developed as they were attempting to coordinate efforts as well as businesses attempting to coordinate with the law.

Advisory Committee on Health Care Access: In coordination with the Federal Trade Commission, the Division continues to major effort to provide ethical guidance to the health care community through policy statements on mergers, joint ventures, and other collective conduct among hospitals, doctors, and other health care providers. Such guidance is also a major priority of the Administration's health care reform efforts and other supporters of reform efforts in the health care area. In statements were issued jointly with the FTC in 1994 concerning *Joint Ventures and Agreements* (1994 March 11, 1995). On September 27, 1994 the Division issued *Guidelines of Enforcement Policy and Analytical Procedures Relating to Health Care and Access*. These statements were jointly released by the Federal Trade Commission and the Department of Justice, Division of Antitrust and Consumer Protection, and the Department of Health and Human Services, Division of Health Care Policy and Regulation.

Advisory Committee on Health Care Access: Guidance issued in April 1994. The publication, developed jointly with the Antitrust Division and the Federal Trade Commission by the Department of Justice, provided the Department of Justice with a more effective process to deal with ethical issues arising from industry consolidation. As the result of these efforts, guidelines were established to coordinate with the goal of publication cooperation in the health industry division of enforcement efforts concerning the ethics of the health industry.

Interagency Working Group: The Division has participated heavily in the Administration's working group on legislation to modernize America's telecommunications laws. The goal of the group has been to establish a better working relationship in all areas of telecommunications, including local exchange service, information service, long distance, and interconnection, as well as the pursuit of competitive options for voice, data and video communications.

A. Cooperation and Coordination

Coordination with Rules

The Division's involvement of close working relationships with state enforcement officials represents a major management accomplishment. Division officials lead the initiative to establish a dialogue with the states and respond to their policy concerns, as well as to improve coordination of investigatory process and resources. This result is a more consistent and efficient federal and state enforcement process across the country, serving to ensure conservation of government resources of all levels, deter violations of the ethical laws, and provide greater consistency in law enforcement policy to enable businesses to flourish. Under this program, the Division provides assistance to the states in their investigations including meeting available staff attorneys, economists and financial analysts for consultation.

The following cases illustrate recent federal-state ethical law enforcement cooperation:

- The Division and the Attorney General's Office of Health (called a *Voluntary*) coordinated a federal, predoctoral-selling hospital merger case.
- The Division and the Attorney General's Office challenged the major dental health plan in America's use of a "most favored nation" clause in contracts with Atlanta dentists. The clause had the effect of discouraging the discounting of dental fees. The consent decree negotiated by the Division and the Attorney General, which outlawed the use of these clauses, has nationwide implications to ensure similar contract provisions are widely used in the health care industry.

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ATTORNEY GENERAL OFFICE OF GENERAL COUNSEL

- The Division and the Attorney General of Rhode Island and Maryland challenged the merger of two railroad trade groups. The consent decree requires the divestiture of assets in certain markets in Rhode Island and Maryland and limits the entry into existing long-term contracts in certain markets.
 - The Division and the Pennsylvania Attorney General completed a joint investigation of a retail price maintenance by a national retailer of specialty toys for children. The company agreed to pay damages to the Pennsylvania Attorney General for distribution in connection to the state who purchased the specialty toys and agreed to a consent decree with the Division prohibiting it from, among other things, discussing suggested resale prices with dealers or encouraging customers to buy.
 - The Division and the Utah Attorney General's Office coordinated investigations of suspected exchanges of nurse salary information by Salt Lake City-area hospitals.
 - The Division and the Attorney General of Connecticut and Massachusetts jointly investigated the transfer of two of the largest banks in New England, which resulted in an agreement by the banks to divest 14 branches with total deposits of \$1.1 billion in Connecticut, Massachusetts, New Hampshire, and Rhode Island.
 - The Division is currently auditing the State Attorney General's Office of New Mexico in a questionable pricing investigation.
- The Division also provides technical advice and investigation as part of its cooperative efforts with the states. In March 1995, the Division opened its in-house testing program to state attorneys. The Division also conducts seminars and conferences for state enforcement officials. Recent examples are the seminars on general unfair law principles for the Attorneys General's Office, a testing on health care fraud case without limit for the Indiana Attorney General and her top aides, and a seminar on health care joint ventures for the Texas Attorney General's staff. Finally, the Division sponsors, with the Federal Trade Commission, a series of Consumer Round Conferences at which officials of the two federal agencies gather with state officials to discuss current enforcement issues of national concern. In the past year, the Division and FTC have sponsored "consumer groups" with officials from over 20 states.
- C. Cooperation with State Attorneys General and A.A. Attorney**
- The Division continues to work vigorously to improve its ongoing program of cooperation with federal, state and local law enforcement officials. A key element of the effort is the Division's "voice-dialer" program under which federal, state and local prosecutors may be specially equipped by the Attorney General to work on specific cases pending in the Attorney General's Division and Division personnel may be assigned to work on other federal or state cases. The Program has two components: (1) the release of information and press releases with local or regional impact to the states; and (2) the most designation of state law attorneys to assist Division attorneys on bid fighting and price-fixing matters. Such joint enforcement efforts can be very helpful in making of potentially local concerns where local resources can ensure more efficient and successful prosecution.
- D. Office Administration**
- The Division continues to direct great effort to its use of automated systems to ensure accurate and timely information and support to its managers and operating staff. In order to provide a continued high level of support to its sections and field offices, the Division has moved aggressively in the use of its on-line administrative network for a wide range of purposes, including desktop access to legal and economic research data bases, electronic mail, electronic time and attendance reporting for payroll purposes, and management information systems, as well as word processing.

Continued

ADMINISTRATIVE PROCEDURE REVENUE AND FINANCE

Another essential project included in the program is the development of means to provide increased support to Division jurisdictions when they are working at remote locations. With the increasing technological requirements of both Division and the private sector, it is essential that the Division be able to provide the necessary support and assistance to the various jurisdictions. The Division's support staff has developed procedures and systems for the provision of periodic recommendations for other jurisdictions and personnel access to their "home" office system from a remote location. Given the periodic nature of the support, the Division can be readily made available to jurisdictions located at remote locations. These recommendations also support in a wide range of projects that require other capabilities and require overall administration and coordination. The Division now offers its services to all jurisdictions with personnel, legal research, electronic mail, data management, spreadsheet, data change, related capabilities and guidance to other systems to allow Division staff more effectively to compete with the private sector. The wider range of available tools not only ensures a higher quality of analysis and system work, but also ensures better access to information necessary to decision making in all phases of credit and support.

The Division continues to provide its services with enhanced systems capabilities and are complementary with other Departmental components and the core requirements of the real generation of other administration systems as identified in the Department of Justice National Cyber Administration Project.

1. Field Collection

In support of its overall goal to collect government debts efficiently, the Division has developed systems and procedures for collection of court-ordered fines, penalties and damages. Collection of debt penalties and damages is handled by the Division directly. The Division's debt collection program has been highly successful, with over a 100 percent collection rate over the past two years. In 1995, the Division collected \$2.1 million in debt penalties and damages in 1996, up from \$1.5 million in 1995. In 1997, the Division collected \$2.7 million in debt penalties and damages, up from \$2.1 million in 1996. In addition, during 1997, the Division collected \$2.7 million in debt penalties and damages, up from \$2.1 million in 1996. The Division in 1997, collected fines and penalties are referred to the U.S. Attorney's office and handled in accordance with procedures established by the Department's Office of Debt Collection.

Ordered

**ANTITRUST DIVISION
Section 101**

Priority Ranking

Case Program		Program Section			Status
Case	Program	Section	Sub-Section	Section	
1	Preservation of Competitive Market Structure	1	1	1	1
2	Investigation and Prevention of Private Cartel Behavior	2	2	2	2
3	Competition Advocacy Activity	3	3	3	3
4	Federal Appellate Activity	4	4	4	4
5	Policy Analysis, Legislation and Testing	5	5	5	5
6	Management and Administration	6	6	6	6

No business is conducted in the field organization.

Approved by
Director and
Chairman

Detail of Increased Positions by Category
Fiscal Years 1968 - 1977

Category	1968 Authorized	1968 Anticipated Availability	1967	
			Program Increases	Total
Grand Almanac (000)				
Periodical Booklets (000)	114	75	-	75
Other Legal and Related (000-999)	62	36	-	36
Social Sciences, Economics and Related (100-199)	11	6	-	6
Gen. Admin., Clerical and Office Services (200-399)	29	31	-	31
Accounting and Budget (400-499)	146	66	-	66
Business and Industry Group (500-599)	7	3	-	3
Mathematics and Statistics Group (600-699)	4	3	-	3
Total	1	1	-	1
Total	464	193	-	193
Washington U.S. Post				
Periodical Booklets (000)	266	44	-	44
Other Legal and Related (000-999)	149	129	-	129
Social Sciences, Economics and Related (100-199)	6	11	-	11
Gen. Admin., Clerical and Office Services (200-399)	20	36	-	36
Accounting and Budget (400-499)	43	123	36	159
Business and Industry Group (500-599)	4	3	-	3
Mathematics and Statistics Group (600-699)	2	4	-	4
Total	460	431	36	461
Washington U.S. Post				
Periodical Booklets (000)	417	603	36	639
Other Legal and Related (000-999)	23	24	-	24
Total	440	627	36	661
Grand Total	904	824	72	896

**ALBANY COUNTY
SHERIFF'S OFFICE**

**Summary of Changes
Positions in Thousands**

	Permanent Positions	Wages/years	Amount
Direct:			
1976 Anticipated Availability	190	186	\$88,881
Adjustments to Base:			
Mail Management Transfer	--	--	32
Mandatory Increases	--	--	4,466
1977 Base	190	186	\$93,379
Program Changes:			
1977 Request, Direct	178	172	--
	178	172	\$87,317

	Permanent Positions	Wages/years	Amount
Indirect:			
1976 Anticipated Availability	480	443	\$44,382
Adjustments to Base:			
1977 Base	285	273	\$27,357
Program Changes:			
Request Available Activity	4	3	340
Termination and Prevention of Private Control Behavior	42	48	4,768
Preservation of Competitive Market Structure	33	33	3,284
Policy Analysis, Legislation and Testing	18	18	1,733
Competition Advisory Program	6	6	723
Investigative and Administration	10	10	1,023
Total Program Changes	113	118	11,667
1977 Request, Indirect	398	391	\$39,085
Total: 1977 Request (Direct & Indirect)	778	772	\$126,404
Carryover into 1977	108	108	10,440
Grand Total, 1977 (Direct, Indirect and Carryover)	886	880	\$136,844

**GENERAL DIVISION
Salaries and Incentives**

**Summary of Changes
Payroll by Incentive**

	Positions	Wages	Amount
1996 Availability Anticipated -- Direct	193	184	528,081
-- Indirect	460	443	48,368
Adjustments to Base -- Direct			
Base:			52
Mail Management			1,371
Mandatory Increases:			106
1. 1997 Pay Rate and Locality Pay Adjustment			1,371
2. Anticipation of 1996 Locality Pay			42
3. Anticipation of 1996 Pay Rate			1
4. 1996 Pay Rate Increase			161
5. Medical Insurance Code			346
6. Medical Insurance Allowance Rate			1,749
7. General Fringe Level Adjustments			7,335
8. OIA Staff			2,918
9. Increase in Litigation Support Contract			1
10. Mandatory Increases			1
Total, Adjustments to Base -- Direct	193	184	528,081
-- Indirect	460	443	48,368
1997 Base -- Direct			
-- Indirect			
Additional Program Changes -- Direct			
-- Indirect			
Reduced Appellate Activity	4	3	340
Investigation and Prevention of Private Capital Securities	4	48	4,748
Investigation of Corporate Market Structure	33	33	3,234
Policy Analysis, Legislation and Testing	10	10	1,333
Competition Advisory Program	6	6	733
Management and Administration	108	108	10,425
Total, Program Changes -- Direct	165	165	16,570
-- Indirect			
1997 Budget -- Direct			
-- Indirect			
1997 Total Budget (Direct & Indirect)	783	783	78,335
Compared to 1997			
Grand Total, 1997 (Direct, Indirect and Compared)	783	783	78,335

ATTACHMENT C
BUDGETARY DATA

Anticipation of Additional Incomes
Column in Rows 4-6

		Permanent Positions	Workyears	Amount
Row 4				
	Transfer of Resources for Mail Management Services			
	This reallocation is necessary in order to align the base having according to the allocation that is being used to distribute the 1996 Mail Management Services pay rates. The Mail Management Services pay rates are based on the 1996 survey of mail volume, since this represents the most current information available. The reallocation transfers an additional \$22,000 to the Antitrust Division.			\$22
Row 5				
	Mandatory Increases			
	1997 pay rates			1,271
	This request provides for the proposed 3.5 percent pay rate to be effective in January of 1997 and is consistent with Antitrust Division pay rates. The Mail Management Services pay rates are based on the 1996 survey of mail volume, since this represents the most current information available. The reallocation transfers an additional \$22,000 to the Antitrust Division. The pay amount for three-quarters of the fiscal year plus appropriate benefits (\$1,244,000 pay and \$24,000 benefits = \$1,268,000).			
Row 6				
	Anticipation of 1996 Locality Pay Increases			160
	This adjustment represents the anticipated locality pay increase to become effective in January 1996, plus appropriate permanent benefits.			
Row 7				
	Accruals and Increases of 1996 pay rates			471
	This pay accruals and increases for quarter amounts (October through December) of the 1996 pay increase of 3.5 percent, plus appropriate permanent benefits and the additional amount required above 3.5 percent originally requested for the three-quarters of the year (\$461,000 for pay and \$111,000 for benefits).			
Row 8				
	With-grade increases			484
	This request provides for the requested increase in costs of with-grade increases. The increase is based on an accurate, dynamic model of the Department's employee population, which includes the Department's current pay rates, with adjustments to include three-year salary/increases rates, and career ladder rates to reflect promotion policy for each organization. The request includes \$24,000 for pay and \$100,000 for benefits.			

**ANTHONY DIVISION
Expenses and Expenses**

	Mandatory Increases (continued):	Permanent Positions	Wage Years	Amount
6.	Medical hospital service costs: The Department of Health and Human Services is projecting an increase in health care costs. The Department is applying a factor of 1.3 percent against medical services. An increase of \$1,000 will be required.	---	---	1
6.	Travel mileage allowance rate: The mileage allowance rate has increased from 25 to 30 cents per mile. An increase of \$161,000 is requested in 1997 to cover the rate adjustment.	---	---	161
7.	General pricing level adjustments: The request applies GSA pricing guidance as of June 11, 1996, to selected expense categories. The increase costs related with applying a factor of 3.1 percent against "miscellaneous" items were the prices that the Government pays for various types of supplies, materials, equipment, contracts with the private sector, printing costs, transportation costs and utilities.	---	---	346
8.	GSA fees: GSA will continue to charge rental rates that approximate those charged to commercial tenants for equivalent space and related services. The requested increase of \$1,649,000 is required to meet our commitment to GSA. The costs associated with GSA rent were derived through the use of the automated system, which uses the latest inventory data and GSA's provided 1996 rates.	---	---	1,649
9.	Increase in litigation support contract: The Secretary of Labor is reviewing the Department's payments of health and welfare fringe benefits for service contracts. We anticipate that the fringe benefit rate will be increased from 14.00 per hour to 15.50 per hour (an increase of \$1.50 per hour). An increase of \$40,000 is requested.	---	---	80
	Total mandatory increases:	---	---	4,094
	Total adjustments to base:	---	---	4,910

ANNEXURE D-V
Parties and I
Summary of Requirements for Goods and Object Class
(Given in Rupees)

Direct:	1990 Actual		1994 Estimate		1997 Required		Increase/Decrease	
	Positions & Workyears	Amount	Positions & Workyears	Amount	Positions & Workyears	Amount	Positions & Workyears	Amount
Grades and salary ranges								
Executive Level IV	1	\$116,700	1		1			
GS-5	17	180,806	17		17			
GS-4	2	116,508	2		2			
GS-3	2	116,508	2		2			
GS-2	2	100,806	2		2			
GS-1	120	71,484	63		63			
GS-15	49	42,473	31		31			
GS-14	34	62,843	17		17			
GS-13	19	44,884	8		8			
GS-12	14	37,764	16		16			
GS-11	34	30,468	16		16			
GS-10	12	27,764	8		8			
GS-9	37	26,561	12		12			
GS-8	11	23,844	8		8			
GS-7	7	22,553	2		2			
GS-6	4	19,253	2		2			
GS-5	2	16,951	2		2			
GS-4	2	14,111	2		2			
Locality Pay								
1997 Pay Rate		\$268		\$268		\$268		\$268
Total, Appropriated positions	404	\$1,947	193	\$2,311	193	\$2,311		\$996
Pay above stated annual rate								
Excess								
Savings due to lower pay rates for part of year	-202	-9,378	-7	-440	-7	-476		-30
Net full-time permanent	202	12,897	186	11,444	186	12,494		610
Other than permanent:								
Part-time permanent	11	1,431						
Part-time permanent	112	2,268						
Other personnel compensation:								
Overtime	11	849	11	631	11	631		
Other compensation								
Special personal services	34	1,442						
Total, workyears & personnel compensation	546	18,647	197	12,316	197	12,028		610
Average GS salary		104,266		104,345		111,538		
Average GS salary		84,370		84,448		60,328		
Average GS grade	12.1		12.2		12.2			

AS HUMAN SERVICES
DEPARTMENT
GENERAL AND EXPENSE

Summary of the Accounts for Grants and Object Class
(Column in Thousands)

Direct Object Class	1996 Actual		1996 Estimate		1997 Request		Increase/Decrease	
	Workyears	Amount	Workyears	Amount	Workyears	Amount	Workyears	Amount
11.1 Full-time personnel	263	\$12,897	106	\$11,464	106	\$11,464	--	\$0
11.2 Other than full-time personnel	123	3,719	--	--	--	--	--	--
11.3 Other personnel compensation	11	2,201	11	631	11	631	--	--
11.4 Special personnel services payments	--	--	--	--	--	--	--	--
11.5 Total, workyears and personnel compensation	397	18,817	117	12,105	117	12,105	--	6,712
12 - Personnel benefits	335	4,511	--	--	--	--	--	--
12.1 Health insurance	335	4,511	--	--	--	--	--	--
12.2 Retirement	--	--	--	--	--	--	--	--
12.3 Total, personnel benefits	335	4,511	--	--	--	--	--	--
21 - Travel and transportation of persons	401	2,481	176	716	176	716	--	325
22 - Travel and transportation of things	401	2,481	176	716	176	716	--	325
23.1 GSA and	6,743	3,820	2	2	2	2	--	947
23.2 Rental payments to others	1	1	--	--	--	--	--	30
23.3 Communications, utilities & miscellaneous charges	1	1	--	--	--	--	--	343
24 - Printing and reproduction	461	461	204	204	204	204	--	106
25.1 Advisory and assistance services	471	471	200	200	200	200	--	924
25.2 Other services	1,111	1,111	117	117	117	117	--	178
25.3 Purchase of goods and services from contractors	2,857	2,857	329	329	329	329	--	80
25.4 Operation of GOCO's	791	791	94	94	94	94	--	29
25.5 Research and development contracts	127	127	53	53	53	53	--	66
25.6 Medical care	--	--	--	--	--	--	--	--
25.7 Operations and maintenance of equipment	371	371	114	114	114	114	--	343
25.8 Assistance and support of persons	--	--	--	--	--	--	--	--
26 - Supplies and materials	1,371	1,371	343	343	343	343	--	343
31 - Indemnity	1,271	1,271	1,232	1,232	1,232	1,232	--	39
42 - Insurance claims and indemnities	--	--	--	--	--	--	--	--
Total obligations	41,708	41,708	20,431	20,431	20,431	20,431	--	21,277

AMERICAN OVERSEAS
ASIAN INC.

Summary of Budgets by Grade and Object Class
Grades in Parentheses

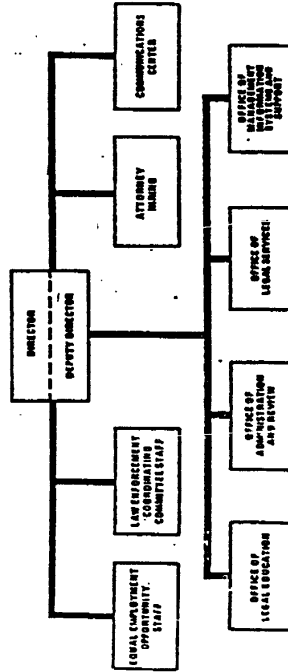
Index	1995 Actual		1996 Estimate		1997 Request		Increase/Decrease	
	Positions & Workyears	Amount	Positions & Workyears	Amount	Positions & Workyears	Amount	Positions & Workyears	Amount
Grades and salary ranges								
Executive Level IV		\$115,700						
GS-5	1	120,000	1		1		1	
GS-6	2	110,000	2		2		2	
GS-7	1	110,000	1		1		1	
GS-8	1	100,000	1		1		1	
GS-9	1	100,000	1		1		1	
GS-10	1	100,000	1		1		1	
GS-11	1	100,000	1		1		1	
GS-12	1	100,000	1		1		1	
GS-13	1	100,000	1		1		1	
GS-14	1	100,000	1		1		1	
GS-15	1	100,000	1		1		1	
GS-16	1	100,000	1		1		1	
GS-17	1	100,000	1		1		1	
GS-18	1	100,000	1		1		1	
GS-19	1	100,000	1		1		1	
GS-20	1	100,000	1		1		1	
GS-21	1	100,000	1		1		1	
GS-22	1	100,000	1		1		1	
GS-23	1	100,000	1		1		1	
GS-24	1	100,000	1		1		1	
GS-25	1	100,000	1		1		1	
GS-26	1	100,000	1		1		1	
GS-27	1	100,000	1		1		1	
GS-28	1	100,000	1		1		1	
GS-29	1	100,000	1		1		1	
GS-30	1	100,000	1		1		1	
GS-31	1	100,000	1		1		1	
GS-32	1	100,000	1		1		1	
GS-33	1	100,000	1		1		1	
GS-34	1	100,000	1		1		1	
GS-35	1	100,000	1		1		1	
GS-36	1	100,000	1		1		1	
GS-37	1	100,000	1		1		1	
GS-38	1	100,000	1		1		1	
GS-39	1	100,000	1		1		1	
GS-40	1	100,000	1		1		1	
GS-41	1	100,000	1		1		1	
GS-42	1	100,000	1		1		1	
GS-43	1	100,000	1		1		1	
GS-44	1	100,000	1		1		1	
GS-45	1	100,000	1		1		1	
GS-46	1	100,000	1		1		1	
GS-47	1	100,000	1		1		1	
GS-48	1	100,000	1		1		1	
GS-49	1	100,000	1		1		1	
GS-50	1	100,000	1		1		1	
GS-51	1	100,000	1		1		1	
GS-52	1	100,000	1		1		1	
GS-53	1	100,000	1		1		1	
GS-54	1	100,000	1		1		1	
GS-55	1	100,000	1		1		1	
GS-56	1	100,000	1		1		1	
GS-57	1	100,000	1		1		1	
GS-58	1	100,000	1		1		1	
GS-59	1	100,000	1		1		1	
GS-60	1	100,000	1		1		1	
GS-61	1	100,000	1		1		1	
GS-62	1	100,000	1		1		1	
GS-63	1	100,000	1		1		1	
GS-64	1	100,000	1		1		1	
GS-65	1	100,000	1		1		1	
GS-66	1	100,000	1		1		1	
GS-67	1	100,000	1		1		1	
GS-68	1	100,000	1		1		1	
GS-69	1	100,000	1		1		1	
GS-70	1	100,000	1		1		1	
GS-71	1	100,000	1		1		1	
GS-72	1	100,000	1		1		1	
GS-73	1	100,000	1		1		1	
GS-74	1	100,000	1		1		1	
GS-75	1	100,000	1		1		1	
GS-76	1	100,000	1		1		1	
GS-77	1	100,000	1		1		1	
GS-78	1	100,000	1		1		1	
GS-79	1	100,000	1		1		1	
GS-80	1	100,000	1		1		1	
GS-81	1	100,000	1		1		1	
GS-82	1	100,000	1		1		1	
GS-83	1	100,000	1		1		1	
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GS-87	1	100,000	1		1		1	
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GS-90	1	100,000	1		1		1	
GS-91	1	100,000	1		1		1	
GS-92	1	100,000	1		1		1	
GS-93	1	100,000	1		1		1	
GS-94	1	100,000	1		1		1	
GS-95	1	100,000	1		1		1	
GS-96	1	100,000	1		1		1	
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GS-98	1	100,000	1		1		1	
GS-99	1	100,000	1		1		1	
GS-100	1	100,000	1		1		1	
GS-101	1	100,000	1		1		1	
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GS-103	1	100,000	1		1		1	
GS-104	1	100,000	1		1		1	
GS-105	1	100,000	1		1		1	
GS-106	1	100,000	1		1		1	
GS-107	1	100,000	1		1		1	
GS-108	1	100,000	1		1		1	
GS-109	1	100,000	1		1		1	
GS-110	1	100,000	1		1		1	
GS-111	1	100,000	1		1		1	
GS-112	1	100,000	1		1		1	
GS-113	1	100,000	1		1		1	
GS-114	1	100,000	1		1		1	
GS-115	1	100,000	1		1		1	
GS-116	1	100,000	1		1		1	
GS-117	1	100,000	1		1		1	
GS-118	1	100,000	1		1		1	
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GS-132	1	100,000	1		1		1	
GS-133	1	100,000	1		1		1	
GS-134	1	100,000	1		1		1	
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GS-146	1	100,000	1		1		1	
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GS-148	1	100,000	1		1		1	
GS-149	1	100,000	1		1		1	
GS-150	1	100,000	1		1		1	
GS-151	1	100,000	1		1		1	
GS-152	1	100,000	1		1		1	
GS-153	1	100,000	1		1		1	
GS-154	1	100,000	1		1		1	
GS-155	1	100,000	1		1		1	
GS-156	1	100,000	1		1		1	
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GS-160	1	100,000	1		1		1	
GS-161	1	100,000	1		1		1	
GS-162	1	100,000	1		1		1	
GS-163	1	100,000	1		1		1	
GS-164	1	100,000	1		1		1	
GS-165	1	100,000	1		1		1	
GS-166	1	100,000	1		1		1	
GS-167	1	100,000	1		1		1	
GS-168	1	100,000	1		1		1	
GS-169	1	100,000	1		1		1	
GS-170	1	100,000	1		1		1	
GS-171	1	100,000	1		1		1	
GS-172	1	100,000	1		1		1	
GS-173	1	100,000	1		1		1	
GS-174	1	100,000	1		1		1	
GS-175	1	100,000	1		1		1	
GS-176	1	100,000	1		1		1	
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GS-180	1	100,000	1		1		1	
GS-181	1	100,000	1		1		1	
GS-182	1	100,000	1		1		1	
GS-183	1	100,000	1		1		1	
GS-184	1	100,000	1		1		1	
GS-185	1	100,000	1		1		1	
GS-186	1	100,000	1		1		1	
GS-187	1	100,000	1		1		1	
GS-188	1	100,000	1		1		1	
GS-189	1	100,000	1		1		1	
GS-190	1	100,000	1		1		1	
GS-191	1	100,000	1		1		1	
GS-192	1	100,000						

March 9, 1996

Department of Justice
United States Attorneys
Estimates for Fiscal Year 1997
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EXECUTIVE OFFICE FOR UNITED STATES ATTORNEYS



Approved: William French Smith Date: 8/1/84
 Attorney General

UNITED STATES ATTORNEYSSalaries and expensesSummary StatementFiscal Year 1997

The United States Attorneys are requesting, for 1997, a total of 8,373 positions (including 4,013 attorneys), 8,638 workyears, and \$949,279,000. This request represents an increase of 48 positions (including 33 attorneys), 23 workyears, and \$20,298,000 above the 1997 base.

The United States Attorneys are the principal litigators for the United States Government. It is their task to prosecute those who violate our nation's laws, to protect the public from those who would illegally further their private interests at the expense of the general welfare, to protect the legitimate powers of the Federal Government from those who would usurp those powers, and to assert laws enacted by the Congress, and policies established by the Administration and by the Attorney General.

The United States Attorneys' appropriation consists of four decision units. They are: Criminal Litigation; Civil Litigation; Legal Education; and Management and Administration. The request for each decision unit is discussed below.

CRIMINAL LITIGATION

The criminal litigation activity is conducted by 94 United States Attorneys' offices, each of which has the responsibility for the investigation and prosecution of a wide range of criminal violations. The United States Attorneys request includes an increase 33 positions (including 25 attorneys), 16 workyears and \$3,153,000 for immigration and an increase of 12 positions (including 8 attorneys), 6 workyears and \$1,085,000 to fight official corruption. These resources will be primarily directed to the Southwest border. The request also includes \$10,900 to implement increased security measures in United States Attorneys Offices.

The United States Attorneys' are tasked with the prosecution of violators of the nation's criminal laws. In meeting this mandate, the United States Attorneys maintain the flexibility to implement priorities of the Administration and the Attorney General and also to address emerging crime trends. The principal programs are:

The Violent Crime program addresses a wide-range of violent criminal behavior, including crimes committed by violent repeat offenders. In furthering the Administration's initiatives in the war against violent crime, the United States Attorneys serve as the focal point for anti-violent crime activities within their district. They work with Federal law enforcement agencies, other Federal agencies, state and local agencies, and violent crime task forces to ensure that law enforcement resources are effectively coordinated to address the problems in their districts. The United

States Attorney also works with other Federal agencies, state and local agencies and community agencies and groups to implement crime prevention programs. Closely tied to the violent crime program is the Marijuana and Dangerous Drug program. Violence is a common means to settle disputes and protect territory by those involved in the drug trade. Operation Weed and Seed continues to be used by United States Attorneys in a two pronged strategy to remove violent gangs, drug dealers and other violent offenders from the community, and then assisting in providing stimulus for economic reform. The United States Attorneys are committed to providing continuing leadership in these innovative efforts.

The Official Corruption program is one of the Department of Justice's most vital tasks because such corruption corrodes the democratic process and the peoples' faith in their public servants. These cases continue to be a high priority of the United States Attorneys because of the impact of these cases in the overall scheme of our government.

The Organized Crime program addresses investigations and prosecutions of those individuals who, as members of organized criminal groups, terrorize their victims through extortion, bribery, kidnapping and murder. The focus of this program has expanded beyond the traditional organized crime groups to include all organized gangs, youth gangs, and other gangs which are growing at an alarming rate.

The Economic Crime program is responsible for the prosecution of violators of Federal laws traditionally considered white collar crimes. Frauds, particularly financial institution fraud, bankruptcy fraud, health care fraud, insurance fraud, telemarketing fraud, and government program fraud continue to rise and are of major concern to the United States Attorneys. A variety of other fraud prosecutions also are included in this program. In addition, criminal prosecutions in appropriate environmental crime cases are a critical component of this program.

The Other Crimes program covers a broad range of crimes, including civil rights violations, hate crimes, sexual assault, child abuse and molestation, violations of immigration laws, and recovery of child support from delinquent parents. The United States Attorneys have placed a renewed emphasis on this program.

The Asset Forfeiture program provides a critical law enforcement tool to take away the profits earned through criminal activity and therefore, dismantle the infrastructure of organized criminal groups.

The Appeals program ensures that conviction and sentences obtained in district courts are defended and upheld.

CIVIL LITIGATION:

Civil Litigation is conducted by 94 U.S. Attorneys' offices, each of which has the responsibility to protect and advance the interests of the United States government through representation of our client agencies and protection of the United States Treasury from claims against it. The United States

Attorneys request includes an increase of no positions, no workyears and \$1,821,000 to complete the supervision of the 1996 International Union Officer Elections for the International Brotherhood of Teamsters.

The principal programs are:

The Affirmative Civil program protects the Federal fisc through the conduct of aggressive affirmative litigation. This area includes Health Care, Medicare, Securities and Insurance Fraud, and Environmental cases. The United States Attorneys have established Affirmative Civil Enforcement (ACE) teams in 37 districts with 110 positions funded by the Three Percent Fund. The ACE program has produced positive results from both a law enforcement and monetary recovery perspective. Effective law enforcement against white collar fraud and the protection of Public Funds require flexible and timely use of the full range of civil and criminal remedies. The ACE program fights fraud quickly and effectively, working with investigative agencies and criminal prosecutors. The ACE program produces tremendous financial dividends for the United States. Beyond the financial recoveries, ACE cases have a major impact on the regulatory community by advancing agency goals. The success of these programs protect the Medical system, food stamp program and other government funded programs.

Other Affirmative Civil Litigation aggressively tracks and litigates fraud against the government.

In the Debt Collection program, the United States Attorneys collect monies from individuals and entities who owe the Federal Government billions of dollars in unpaid civil, criminal and tax debts; and, enhance enforcement and collection by the Federal Government of claims for monetary penalties against individuals and entities who violate the federal civil statutes. The Federal Debt Collection procedures Act of 1990 opens up many avenues for collecting money.

LEGAL EDUCATION:

The Legal Education program is committed to improving the quality of legal representation and services provided by Executive Branch Attorneys and support staff employed by the United States of America. The program provides basic programs in Federal practice for newly hired attorneys, specialized courses in substantive area of law, and advocacy skills. The United States Attorneys request no change in positions, workyears, or dollars for this program.

MANAGEMENT AND ADMINISTRATION:

The Management and Administration program encompasses all of the Executive Office for United States Attorneys (EOUSA) with the exception of the Office of Legal Education. The EOUSA provides general assistance and supervision to the 94 United States Attorneys' offices, and coordinates with the other organizational units of the Department under the direction of the Deputy Attorney General. The request includes an increase of 3 positions, 1 workyear and \$1,339 to provide United States Attorneys Offices with the technology to support automated litigation support to trial attorneys.

United States Attorneys

Salaries and expenses

Justification of proposed changes in Appropriation Language

The 1996 budget estimates include proposed changes in the appropriation language listed and explained below. New language is underscored and deleted matter is enclosed in brackets.

Salaries and expenses, United States Attorneys

For necessary expenses of the Office of the United States Attorneys, including intergovernmental agreements, \$19,279,000, of which not to exceed \$2,500,000 shall be available until September 30, 1998 for training personnel in debt collection, locating debtors and their property, paying the net costs of selling property and of processing and tracking debts owed to the United States. Provided, that not to exceed \$1,000 shall be available for official reception and representation expenses. Provided further, that not to exceed (1) \$10,000,000 for automated litigation support contracts, (2) \$4,000,000 for security equipment, and (3) \$1,821,000 for supervision of the International Brotherhood of Teamsters National election, shall remain available until expended.

(28 U.S.C. 519, 541-550; U.S.C. 1424, 1617, 1694.)

Note.-- A regular 1996 appropriation for this account had not been enacted at the time this budget was prepared. The 1996 amounts included in this budget are based on the levels provided in three continuing resolutions: P.L. 104-91, P.L. 104-92, and P.L. 104-93.

**United States Attorneys
Salaries and Expenses
Comparison of 1998 Changes
(Dollars in thousands)**

Activity/Program	1998 President's Budget Request		Congressional Appropriation Acts on 1998 Request		Reprogramming		1998 Conference Agreement	
	Pos	WT	Pos	WT	Pos	WT	Pos	WT
Criminal Litigation.....	6,247	6,238	6,238	6,238	6,160	6,328	6,160	6,328
Civil Litigation.....	1,908	1,952	201,441	3,947	1,953	2,054	1,953	2,054
Legal Education.....	27	26	7,208	66	27	26	27	26
Management and Admini- stration.....	181	205	36,622	1,081	186	214	186	214
Subtotal.....	8,361	8,421	234,453	(36)	8,326	8,622	8,326	8,622
Debt Collection.....	...	...	...	...	...	...	...	...
Total.....	8,361	8,421	234,453	(36)	8,326	8,622	8,326	8,622

Congressional Appropriation Act on 1998 Request. Congress reduced funding requested in an amendment to combat individuals and groups accused of international and domestic terrorist activity. Funding for staffing increases that occurred during 1998 was provided. Congress denied funding for the International Brotherhood of Teamsters request.

United States Air Force
 Services and Expenses
 Summary of Budgetary Resources
 (Values in thousands)

	1995 as Budgeted		1995 Actual		1996 Appropriation		1997 Base		1997 Estimate		Increase/Decrease	
	Per.	NYL Amount	Per.	NYL Amount	Per.	NYL Amount	Per.	NYL Amount	Per.	NYL Amount	Per.	NYL Amount
Adjustments to Base												
1996 Appropriation Anticipated												
Adjustments to Base												
Nonrecurring Decreases												
1997 Base												
Estimates by Program												
Operational Missions	6,011	6,178,940,072	6,011	6,347,940,735	6,169	6,328,944,314	6,169	6,329,929,977	6,203	6,361,948,015	42	21,113
Other Missions	1,979	2,021,193,642	1,979	2,044,193,336	1,973	2,054,263,398	1,973	2,054,214,102	1,973	2,054,214,102	0	0
Legal Education	27	34	27	34	27	34	27	34	27	34	0	0
Management & Admin.	184	238,35,624	184	238,35,624	185	214,34,603	185	214,37,572	186	215,34,511	3	1,139
Total	8,222	8,467,875,652	8,222	8,559,877,026	8,253	8,622,884,309	8,253	8,633,928,061	8,373	8,638,949,779	48	23,258
Reimbursable Workyears	922		922		922		922		922		0	
Total Workyears	9,144		9,144		9,175		9,175		9,295		23	
Other Workyears												
Holiday												
Overhead												
AUD	2		2		2		2		2			
Other	77		77		77		77		77			
Total compensable workyears	9,166		9,166		9,175		9,175		9,295		23	

/s/ Actual obligations have been updated since the preparation of the budget appendix.

639

100

This summary of reimbursable amounts has been updated.

United States Attorney
Reimbursable Resources
Summary of Reimbursements
(Dollars in thousands)

Obligations by Program:	1995 Actual		1996 Estimate		1997 Estimate		Increase/Decrease	
	Est.	NY Amount	Est.	NY Amount	Est.	NY Amount	Est.	NY Amount
Criminal	-	-	84,163	-	82,340	-	-	(82,340)
Civil	27	27	6,220	110	12,954	110	12,842	(892)
Office of Legal Education	-	-	-	-	-	-	-	80
Drug Task Force	912	834	75,287	887	845	887	78,197	82,110
Management and Administration	-	-	398	-	178	-	-	(819)
Total	939	861	\$86,068	997	\$95,358	997	\$95,358	-

United States Attorneys
Salaries and Expenses
Government Performance and Results Act Requirements
Program and Performance

Mission: The mission of the United States Attorneys is twofold. First the United States Attorneys prosecute violations of federal criminal law and ensure that the guilty are punished and the innocent are acquitted. In the pursuit of this mission, the United States Attorneys must act vigorously to protect the public interest within their jurisdiction. The United States Attorneys, second, are charged with the responsibility of representing the United States and its various agencies in civil and equity actions and, as appropriate, administrative matters. In this capacity, they must protect the public health and safety, see that just claims against the United States are paid while defending the Treasury from excessive or unwarranted claims and damages, and collecting those monies due and owing the public Treasury.

Organizational Goals:

1. To identify, prosecute, and convict those persons and legal entities who have committed offenses against the laws of the United States.
2. To maintain a strong and unwavering presence in the appellate courts, ensuring that the convictions and sentences obtained against criminal offenders are defended and upheld.
3. To protect and to advance the interests of the United States through the conduct of affirmative and defensive civil litigation.
4. To collect monies owed the United States which cannot be collected through administrative means.
5. To provide high quality and cost effective basic, specialized and continuing legal education for the Department attorneys and support staff.
6. To provide high quality continuing legal education programs to Executive Branch attorneys.

ACTIVITY: CRIMINAL LITIGATION

	Permt. Col.	WT	Amount
Criminal Litigation			
1996 Appropriation Anticipated	6,160	6,326	\$646,216
1997 Base	6,160	6,339	669,377
1997 Estimate	6,203	6,363	482,013
Increase/Decrease		22	13,364

WIDE RANGE PROSECUTIONS. The United States Attorneys are responsible for the investigation and prosecution of a wide range of criminal activities. The offices handle approximately 15 percent of the criminal cases prosecuted by the Department of Justice. The United States Attorneys receive most of their criminal case referrals, or "matters," from federal investigative agencies or become aware of their criminal activities in the course of investigating or prosecuting other cases. They also receive referrals of criminal case matters from state and local investigative agencies. Occasionally, criminal violations are reported to the United States Attorneys by citizens. After careful consideration of a criminal matter, the United States Attorney decides the relevance of bringing criminal charges and, when deemed appropriate, initiates prosecution. In cases of suspected racketeering or miscellaneous offenses, which are referred to the United States Attorney by the United States Department of Justice, the Attorney General assigns an assistant U. S. Attorney to prosecute an alleged offender to a grand jury. The grand jurors decide whether to return an indictment. If an indictment is returned, the United States Attorney then presents the criminal charges in open court at the arraignment of the defendant.

Although historically, only about 12 percent of all criminal defendants are disposed of by trial, the United States Attorneys must always be prepared to go to trial. Consistent preparation for trial minimizes the risk of dismissal for noncompliance with the speedy trial Act and trepidations the government's position in negotiations with defense counsel for a guilty plea. When a guilty plea is not forthcoming, the United States Attorney must be prepared to go to trial. In the event the defendant is convicted, the United States Attorney defends the conviction at post-trial hearings and appeals. The United States Attorneys' offices handle most criminal appeals at the intermediate appellate level. After filing a brief, the United States Attorney may be required to participate in oral argument before the United States Court of Appeals. If there is a further appeal, the United States Attorneys may be called upon to file a brief before the United States Supreme Court. The United States Attorneys may be called upon by the United States Department of Justice to represent the United States in preparation of the case for

The criminal litigation program objectives are accomplished through the work of 94 United States Attorneys' Offices, each of which has responsibility for the investigation and prosecution of a wide range of criminal behavior.

ACTIVITY: CIVIL LITIGATION

	Per- Capita	WT	Amount
Civil Litigation			
1996 Appropriation Anticipated	1.953	2,034	\$205,388
1997 Base	1.953	2,034	214,103
1997 Estimate	1.953	2,034	217,923
Increase/Decrease	0	0	\$3,821

BRIEF PROGRAM DESCRIPTION: The United States Attorneys serve as the attorneys and counselors for the United States in civil litigation. Their workload in the civil field includes providing competent legal representation to respond to civil actions brought against the United States, aggressively pursuing civil enforcement of Federal laws, regulations, and executive orders, and defending the United States against both offensive and defensive civil actions. The civil field also includes the representation of the United States as both activities preserve, protect, and defend the interests of the United States and Federal resources.

Civil matters and cases consume a significant portion of the United States Attorneys' resources, especially in the areas of recovery of money, defense of monetary claims and debt collection. The litigation brought against the Government covers a range of causes of action, including tort (damage suffered as a result of Government action--e.g., collision with a postal service vehicle, malpractice by a Government physician, invasion of privacy by a Government agent), the determination of social security benefits, tax refunds, contract violations, race, sex, and age discrimination, and habeas corpus. The Government also initiates civil litigation against private parties for a wide range of purposes. These purposes include the recovery of money from the Government, the recovery of money from individuals, and the enforcement of administrative law. In and by eminent domain proceedings, the enforcement of administrative law, the enforcement of environmental, admiralty, civil rights and other laws for which there are civil law penalties, and the recovery of debts owed to the Government.

The Civil Litigation program objectives are accomplished through the work of 94 United States Attorneys' Offices, each of which has responsibility to respond promptly and professionally to all suits brought against the United States, its officers, and employees, and to collect monies owed to the United States.

ACTIVITY: LEGAL EDUCATION

	Perm. Pos.	MI	Amount
Legal Education			
1996 Appropriation Anticipated	27	28	\$7,302
1997 Base	27	28	7,430
1997 Request	27	28	7,430
Increase/Decrease	...	...	...

BASE PROGRAM DESCRIPTION: The Office of Legal Education (OLE) develops, conducts, and authorizes the training of all Federal legal personnel (L.E.P.) (L.E.P. 32 (1996)). OLE provides all legal education and attorney training for the Department of Justice and all other departments and agencies of the Executive Branch. OLE pursues its mission through the administration of two institutes - the Attorney General's Advocacy Institute (AGAI) and the Legal Education Institute (LEI). These institutes carry distinct, yet compatible, training missions. Attendance at AGAI courses is usually restricted to Department of Justice personnel, while LEI training programs are open to all Executive Branch personnel.

Public Law 102-140 provided authority and funding to "accommodate the relocation of OLE to a site on the campus of the University of South Carolina where legal education training shall be provided to Federal, State, and local prosecutive and litigative personnel." As required by this Public Law, the Department of Justice submitted a report concerning the relocation of the legal education program to the Appropriations Subcommittee on March 3, 1992. A relocation site has been identified and all cooperative agreements and contracts with the Department of Justice and the University of South Carolina and the Engineering Design Contract was executed between the Department and Robert A.M. Stern and Wilson/Tate Architects in calendar year 1993. A contract for construction management services was signed early in calendar year 1994. A solicitation for bids for construction will issued in March 1995. Bids will be submitted and the contract is expected to be awarded in April, 1996. Classes are tentatively scheduled to begin in April 1998.

AGAI is the primary vehicle for providing instruction to Department of Justice attorneys and Assistant United States Attorneys from the 94 United States Attorneys' offices located throughout the 50 states, the District of Columbia and the territories of Guam, Northern Mariana Islands, Puerto Rico, and the Virgin Islands. In addition, AGAI extends an invitation through the National Association of District Attorneys and the National Association of Prosecutors to state and local prosecutors who express an interest in attending AGAI seminars. AGAI seminars are general to state and local prosecutors who express an interest in attending AGAI seminars. AGAI seminars include criminal law, federal practice seminars, and specialty courses in priority substantive areas of the law. Advocacy skills programs are available to new and advanced trial attorneys. The Federal practice program is designed for attorneys with litigation experience who are new to the Federal legal system (e.g., former state and military prosecutors), and as continuation training for Department attorneys after the basic criminal, civil, and asset forfeiture advocacy courses.

AAJL has experienced Federal trial and appellate attorneys as instructors for all its programs to present lectures, lead discussion groups, direct evidentiary exercises, and offer personalized critiques. Federal judges also participate at AAJL's advocacy courses, presiding over mock trials and mock appellate arguments. The caliber of the AAJL faculty and the use of sophisticated videotaping facilities provide the training of attorneys with the type of courtroom experience which is not available elsewhere. The AAJL management training program, which includes videotaping of courtroom skills, the use of the videotape to analyze courtroom performance, and the use of videotape to critique and individualize management training, provides attorneys with classroom critiques and individualized feedback around the videotape replay analysis. AAJL holds seminars at its "headquarters" as well as other locations around the United States. Finally, the large attorney work force has resulted in a high demand for attorney management training for senior criminal and civil attorneys. AAJL has tried to meet that challenge by offering management courses for attorney supervisors at all levels in the United States.

SECNAV operates a videotape lending library for United States Attorneys' offices. Select courses offered by the Department of Justice are loaned to United States Attorneys' offices. In addition, tapes by Navy are videotaped and made available on request to United States Attorneys' offices. Legal experts have been purchased by Navy, and the tapes are commercially produced tapes by recognized legal experts. SECNAV has been requested to supplement their in-house training programs. SECNAV has been requested to supplement their in-house training programs.

LMI directs its program on Federal civil and administrative law and practices to all attorneys in the Executive Branch, including those in the Department. LMI offers training in civil discovery and trial preparation techniques, administrative law areas such as bankruptcy, the Freedom of Information Act, ethics, environmental law, Federal employment, regulatory processes, government contracts, legal research and writing for attorneys, management of students, and computer law. These courses are held at both the LMI facility, (which accommodates 40 students) and local hotel facilities (which accommodate 100 to 150 students). Administrative and evidentiary trial skills for agency attorneys are also provided. LMI also provides continuing education for Federal attorneys from every agency, including the Department of Justice, and for Federal practice attorneys, curriculum developers, lecturers, and instructors. LMI also contracts with professional educators as instructors.

LAI develops and administers paralegal courses covering basic and advanced skills in both civil and criminal law. These courses are offered to personnel in United States Attorneys' offices, the Department of Justice, and agencies in the Executive Branch. Support staff training for personnel in United States Attorneys' offices is provided through LAI, which develops the curriculum, recruits instructors, and administers local offices with administering the courses. LAI also provides administrative support, including hotel reservations, for conferences held by other segments of the Executive Office for United States Attorneys (EOUSA). In addition, LAI operates a videotape lending library which provides commercially produced lectures on advocacy made by government agencies upon request.

Continuing Legal Education credit is provided through CLE for all CLE courses.

ACTIVITY: MANAGEMENT AND ADMINISTRATION

	Perf.	NY	Amount
Fed.			
Management and Administration	185	214	936,603
1946 Appropriation Anticipated	185	214	37,572
1947 Base	185	214	38,911
1947 Estimate	185	214	38,911
Increase/Decrease			1,339

BASIC PROGRAM DESCRIPTION: The Management and Administration Program includes all of the EOWA with the exception of the Office of Legal Education. The EOWA provides management and policy assistance, direction, and liaison to the United States Attorneys' Offices in direct support of their litigation responsibilities and represents the interests of the United States Attorneys in the development of Department of Justice policy and consistency in the conduct of Federal litigation.

The Legal Counsel Staff provides legal interpretations and advice on matters such as legislation, statutes, regulations, and Executive Orders. The Legal Counsel Staff is also responsible for litigation administration, adverse action, and labor management relations programs. The Freedom of Information Act (FOIA) Staff processes all FOIA requests. The Equal Employment Opportunity Staff implements affirmative action programs within the United States Attorneys' Offices and manages a discrimination complaint program.

The Counsel to the Director advises and assists the Director on Congressional and Public Affairs; substantive legal and other policy matters; staffing for the Attorney General's Advisory Committee (AGAC) and its subcommittees; liaison between other Department components and UMAs; and the handling of special projects as assigned.

The DMSC Liaison Staff provides support to the Attorney General's Advisory Committee of United States Attorneys, identifies issues to be raised with the AGAC, and assists with special projects. The Publications Staff is responsible for the publication and maintenance of publications which are used by and provide information to the UMAs. These publications include the United States Attorneys' Manual and the United States Attorneys' Bulletin. The Administrative Staff provides support to the staff of the Executive Office in the areas of personnel, space, procurement, and travel. The Communications Center receives, distributes, and controls communications to and from the EOWA.

The Evaluation and Review Staff conducts United States Attorney Office evaluations to ensure compliance with Department of Justice policies and initiatives, and assists United States Attorneys in recognizing improvements in the use of personnel, while ensuring that proper management controls are in place. The Law Enforcement Coordinating Committee/Victim-Witness Staff provides technical assistance to enhance coordination and cooperation with federal, state, and local law enforcement and provides assistance and training for United States Attorneys offices in implementing their statutory responsibilities to assist victims and witnesses of crime.

Several legal programs support financial litigation in the United States Attorneys' offices. The Financial Litigation Staff provides direction and oversight in the conduct of debt collection activities and has direct responsibility for the policies related to the collection of criminal fines and restitution. The Affirmative Civil Enforcement Coordinator provides informational support and outreach to the districts in the area of civil fraud litigation. The Assistant Director for Asset Forfeiture provides direction and assistance to the districts in the area of asset forfeiture. Likewise, the Assistant Director for Bankruptcy provides policy and procedure to the field on bankruptcy issues.

The Priority Programs Staff compiles and analyzes data relating to prosecutions in the priority areas of financial institution fraud, violent crime, computer fraud, health care fraud, and other initiatives which are of particular interest to the Department, the Office of Management and Budget, the Congress, and the Administration.

The Facilities Management and Support Services Staff provides administrative support for the acquisition and restoration of space and the procurement of equipment. The Security Programs Staff provides policy and procedural guidance to United States Attorneys' offices for implementing personnel, information, computer, communications, and physical security programs.

The Financial Management Staff formulates and executes a budget including any need for amendments, supplements, reimbursements, and transfers. The Personnel Staff's policy includes all phases of personnel operations such as recruiting, classification, performance management, personnel systems, and policy development.

The Office Automation Staff provides automated information systems for word processing, case management, automated legal research, and litigation support. The Case Management Staff designs, implements and maintains the United States Attorneys case management systems. The Telecommunications and Technology Development Staff provides technical support in the acquisition of voice and data communications and video teleconferencing services.

INITIATIVE

	Para.	Est.	FX	Amount
Infrastructure				\$10,900
Criminal Litigation				
Management and Administration				
Total Infrastructure	3	1	1	13,339

The United States Attorneys are requesting \$10,900,000 to provide adequate security for United States Attorneys offices. Our Offices have experienced a 30% increase in the number of threats made against Assistant United States Attorneys and other personnel during the first quarter of FY 1996. United States Attorney offices also require improved physical security and equipment to soon incoming mail for employees. This funding will ensure that the highest security measures are implemented to protect our employees.

The United States Attorneys have been charged by the Deputy Attorney General as the lead Department of Justice representative to ensure that our space is secure. The security needs of the organization have changed drastically since the Oklahoma City bombing. Guard services, scanning devices, and trained personnel to run those scanning devices, have become a reality in the world in which we live.

The United States Attorneys are requesting 3 positions, 1 workyear, and \$1,339,000 to obtain imaging and courtroom presentation systems, and other trial preparation equipment and software for the ten largest United States Attorneys Offices to allow Assistant United States Attorneys to effectively and efficiently prepare and present cases in court.

Case presentation and courtroom presentation are rapidly moving into a computer based environment. This request will give the Assistant United States Attorneys in the ten largest United States Attorneys offices the capability of meeting this challenge. Litigation support equipment and software are becoming increasingly essential to the effective preparation and management of complex cases and can provide a decisive edge in presenting evidence during trials and to the Grand Jury. Trial preparation and courtroom presentation equipment, which allows visual and audio electronic presentations to the jury, has become extremely important to the Government's ability to win complex cases.

This request will allow us to provide imaging systems for these United States Attorneys offices and to hire staff to support these efforts. This represents the first phase of a multi-year effort to provide these capabilities to our offices. Expected results include an eventual and significant cost savings in production of materials for court, such as charts and graphs.

The United States Attorneys are working with the Courts to encourage permanent installation of courtroom presentation systems in new courthouses as they are built. This equipment is seen as a way to speed up the trial process and assist in presenting clear and easily understood case evidence to juries.

	Perm.	NY	Amount
	Pos.		
Southwest Border			
Criminal Litigation:			
Immigration	11	5	\$1,061
Official Corruption	12	6	1,085
Total	23	11	2,146

The United States Attorneys are requesting a total of 23 positions (16 attorneys), 11 workyears, and \$2,146,000 to support the Southwest Border Initiative.

The Southwest Border States--California, Arizona, New Mexico, and Texas--contain the principal corridors into the United States for illegal immigration. The first area located directly on the border adjacent to Mexico is Southern California, Arizona, New Mexico, Western Texas and Southern Texas--account for more than four-fifths of illegal entries into this country.

The United States Attorneys are requesting 11 positions (8 attorneys), 5 workyears and \$1,061,000 to investigate and prosecute immigration offenses along the Southwest border.

In the area of illegal entry, our attention is focused on that segment of undocumented aliens who are directly linked to violence and crime in our community. In order to neutralize these dangerous aliens, we have seized upon 8 U.S.C. § 1326(b) -- a statute which provides enhanced penalties for previously deported aliens with a criminal history who re-enter the United States. This statute has been revised to permit, for those with the most serious criminal records, sentences up to 20 years (although limited by the Federal Sentencing Guidelines in the particular case). In accordance with the Attorney General's Immigration Initiative, the United States Attorneys have in place the means to identify, to an unprecedented degree, aliens with criminal records.

The current focus of alien smuggling centers on specific portions of the 2,000 mile stretch of the United States/Mexico border. The Department has undertaken a series of initiatives to address these problems through a substantial enhancement of INS/Border Patrol resources to implement and support the Administration's border control strategy. The United States Attorneys along the Southwest border convene quarterly, as a Council, to coordinate, support and facilitate specific initiatives. Presently, the approaches to the problem of illegal immigration are being coordinated through the Southwest Border Council. This Council is composed of representatives of the Criminal Division, DEA and FBI regarding narcotics-related issues. The United States Attorneys also hold parallel conferences with INS and Criminal Division representatives to address matters of illegal immigration in their continuing effort to enhance criminal alien prosecution policies in the individual districts along the Southwest Border and elsewhere.

In FY 1995, 15 Special Assistant United States Attorney positions were detailed from the DOJ for Operation Gatekeeper, to address the increase in immigration prosecutions which resulted from higher illegal entries in the Southwest border states. As a result of these Special Assistant United States Attorney placements, during 1995, more than 1,000 previously deported aliens were prosecuted for illegal re-entry after deportation. This is seven times the number of cases prosecuted in 1992. The number of felony smuggling cases has more than doubled in FY 1995 to a total of 40 indictments in the first 9 months of 1995, compared to 24 cases in all of 1994 and 33 in 1993. The imprisonment of these criminal aliens makes our streets safer and sends a strong deterrent message to potential returnees.

In FY 1995, 42 Assistant United States Attorneys, 12 Paralegal and 27 Support positions were allocated to USAOs. These positions have assisted greatly in meeting the growing need for prosecutions. However, they alone -- or they, combined with Special Assistant United States Attorney positions -- will not be sufficient to meet the steadily increasing caseload expected as a result of increased INS staffing.

Consistent with the Administration's commitment to expand the Border Patrol to 7,000 agents by the year 2000, the 1997 budget is projected to include an increase of 700 new agents. However, a cumulative increase of 3,610 additional Investigators, Inspectors and Border Patrol Agents from FY 1995, FY 1996, and FY 1997, more accurately reflects the total increase in workload for the United States Attorneys by FY 1997.

According to a Bureau of Justice Statistics Bulletin, Federal Law Enforcement Officers, 1993, 71 percent of Border Patrol agents were employed in either Texas or California, with another 17 percent employed in the other Mexican-border states of Arizona and New Mexico. About 8 percent were employed in 11 states that border Canada.

Approximately 88 percent of Border Patrol personnel are assigned to the nine sectors on the Southwest Border. At the same time, INS is expected to receive substantial additional numbers of border inspectors and district investigators to confront, in energized fashion, the myriad of law enforcement challenges presented by the region's land ports of entry from Mexico.

New initiatives directed to the ports will expand dramatically the number of persons apprehended and charged with alien smuggling, use of counterfeit documents and misrepresentation of citizenship or residency status. Other programs project a vastly increased effort to enforce employer sanctions through the use of civil as well as criminal sanctions. Taken together, these enforcement operations will require a considerable increase in United States Attorneys' resources allocated to the prosecution of immigration-related crimes.

The United States Attorneys are requesting 13 positions (8 attorneys), 6 workyears, and \$1,085,000 to investigate and prosecute government related corruption along the southwest border, a priority of the Attorney General.

The FBI refers approximately 50 percent of the official corruption matters received by the United States Attorneys. The FBI is requesting an increase of 33 positions, including 20 agents, to address Public Corruption matters along the Southwest border. The FBI's submission states "...the widespread corruption

among inspectors at the border and law enforcement officers at all levels in that area, major narcotics trafficking organizations continue to supply large quantities of illegal narcotics across the border, frequently without payment of bribes to border officials. The positions we are requesting will address the increased referrals generated by the increased FBI resources.

Over the past year, the United States Attorneys have increasingly fulfilled the vital public function to investigate and prosecute Government related corruption.

During 1994, the United States Attorneys' offices filed 433 criminal cases charging 596 defendants with official corruption. For official corruption cases terminated in 1994, the United States Attorneys' offices obtained convictions of 86.5 percent of the defendants charged. For 1995 the United States Attorneys' offices filed 521 criminal cases charging 699 defendants. This represents a 20 percent increase in cases filed and a 17 percent increase in defendants prosecuted. The conviction rate in FY 1995 was 82 percent.

Public corruption prosecutions by United States Attorneys are among the most hotly contested and highly sensitive of criminal prosecutions. Such prosecutions require a high devotion of resources. Three examples of cases prosecuted during FY 1994 demonstrate the complexity and importance of public corruption prosecutions by United States Attorneys:

-- In the Western District of Oklahoma, Oklahoma's ex-chief trader and former Deputy Treasurer was sentenced to nine years in prison for her role in a \$6.7 million kickback and bribery scheme funded by \$1 billion of Oklahoma tax funds. One of the co-defendants received a sentence of more than eight years for his participation in the scheme. A third defendant fled prior to trial and is currently a fugitive.

-- In the Northern District of Texas, 16 federal employees of the Department of Veterans Affairs' Medical Center in Dallas were convicted for their involvement in theft activities. A four-month undercover surveillance of various retail functions in the Center revealed that cashiers were under ringing the value of retail merchandise or food items for associates or not charging them anything at all. The case involved losses of \$204,914.

-- In the Southern District of Texas, the Sheriff of Hidalgo County was sentenced to seven years in jail, a \$20,000 fine and ordered to forfeit \$131,000 as proceeds of his racketeering activities. A co-defendant, the County's Chief Jailor, was convicted of racketeering conspiracy and accepting bribes and was sentenced to three years' imprisonment and a \$5,000 fine. The Sheriff and Jailor accepted money in exchange for allowing a federal prisoner to have conjugal visits with his wife and girlfriend in the Sheriff's office.

The investigation and prosecution of any misconduct or breach of law by public officials or government employees remains a priority of the Attorney General. Only through our continuing vigilant efforts to maintain the integrity of public service are we able to maintain the American people's trust and confidence in Government. We can anticipate the projected increase in public corruption referrals for 1995 will continue especially in light of the increased resources for the FBI. The United States

Attorneys will need the requested resources to address the additional cases referred by the additional investigative resources dedicated to public corruption.

Perma. Est.	NY	Amount
22	11	2,092

Immigration Criminal Litigation

The United States Attorney's are requesting 22 positions (17 attorneys), 11 workyears and \$2,092,000 to address the increasing caseload generated by increased INS resources directed to the identification, and removal of deportable aliens, and the addition of 50 Immigration Judges.

The Bureau of Justice Assistance Annual Report for fiscal year 1994 noted that the Immigration and Naturalization Service estimates that there are currently about 1.5 million involuntarily detained aliens held in immigration detention facilities. The United States Attorney's are requesting 22 positions to identify and prosecute criminals who are either in prison on out on probation or parole. The report goes on to say that within the Federal prison system, 23,300 inmates, or 27 percent of the prison population, are aliens, 75 percent of whom are serving time for drug law violations. This number represents a three-fold increase over the past five years in the alien prison population. According to the report, the Bureau of Prisons estimates that, upon release, 77 percent of alien inmates will commit additional crimes for which they will be returned to prison.

The United States Attorney's workload reflects the increasing attention that immigration matters are receiving all across the country. The number of matters received increased from 5,579 in 1994 to 7,081 in 1995, an increase of 26.9 percent. The number of defendants received increased from 8,186 to 8,675 during the same time, an increase of 6.3 percent. The United States Attorney's filed 4,612 the number of cases filed and a 64.4 percent increase in the number of defendants when compared to the prior year. A total of 86 defendants were tried during the year, representing a 28 percent increase in the number of defendants tried when compared to the prior year.

This increasing caseload has caused an increase in the number of attorney workyears devoted to criminal immigration cases. During 1995, the United States Attorney's offices devoted 48.7 attorney workyears to this area, an increase of 28.4 percent when compared to 1994. This area saw the largest increase in attorney workyears of any criminal program category.

Perma. Est.	NY	Amount
0	0	\$3,821

International Brotherhood of Teamsters Civil Litigation

Pursuant to the 1989 Consent Decree in the reelecting case United States v. International Brotherhood of Teamsters (1989), the government was given the authority to have an independent, court-appointed Election Officer supervise the International Union Officer Elections in 1996 at government expense. The United States Attorneys were given authority by Congress to spend \$1,708,000 in FY 1995 on this effort, and the Election Officer has been appointed and is currently working with sixteen Regional Coordinators to organize delegate elections in 400 districts nationwide. Preliminary estimates indicate that the total number of delegates to be elected will be approximately 1,000. The actual mailing of the ballot will be completed, the actual mailing of 1.4 million ballots and counting of votes will occur during FY 1997, which is the most critical time to occur during this project.

[illegible]

It is crucial that the Government continue to take advantage of this opportunity to keep the IPR free from corruption by monitoring the process by which it selects its leaders. The IPR is the single largest trade union in North America and has extraordinary influence in all sectors of the economy. In the 30 years preceding the Government's racketeering suit, the control that La Cosa Nostra exerted over the IPR --- largely through control of the union's top leadership --- enabled La Cosa Nostra to influence the industries and trades in which the IPR was involved and the assets managed by the union. Available evidence strongly indicates that La Cosa Nostra remains highly interested in controlling the union. In this case, however, the Government has taken the opportunity to attempt to strip the union of its assets. This effort, that the Department has made to free the IPR from mob control. In addition, a decision not to fund the supervision effort could be perceived as an abandonment of the commitment to rid the IPR of mob infiltration.

<p>Performance Indicator 1a and 1b: Percentages/numbers displayed here include: *all of all criminal attorney workyears devoted to violent crime, and *F drugs, health care fraud, official corruption, computer crime, and migration enforcement priority program area.</p> <p>Performance Indicator 1c and 1d: The Organized Crime Drug Enforcement Task Force (OCDETF) budget is prepared separately from the rest of the United States Attorney's operating budget. We have included this information here as a separate line item because OCDETF is a priority program area for the United States Attorney and consumes a substantial portion of available criminal workyears. It should be noted, however, that FY 1996 and FY 1997 targets do not account for any increases in OCDETF resources because such resources are accounted for separately in the OCDETF GPRA Performance Measurement Table.</p> <p>Performance Indicator 2: Percentages displayed here include only those criminal cases handled in United States District Courts and United States Courts of Appeals.</p> <p>Performance Indicator 3: Only non-fugitive pending cases are included here since fugitives cannot be prosecuted until they are located and apprehended.</p>
<p>B. Factors Affecting FY 95 Program Performance. Describe reasons for any significant differences between target levels of performance and estimates of actual performance, whether positive or negative.</p> <p>None</p>
<p>C. Factors Affecting Selection of FY 96 and 97 Targets. Provide information on the selection of target levels of performance, where necessary.</p> <p>The United States Attorney's caseload/goals can be affected by a number of factors including available resources; available resources in investigatory agencies, and changes in their enforcement methods and other resources; changes in statutory, regulatory, and case laws; changes in ethical and professional standards; changes in Administration and Department priorities; changes in rates or types of crime; changes in the courts/prison systems; and changes in local and state governments and their policies.</p> <p>Performance Indicator 1: Projected increases in FY 1997 target levels are based on a calculation of the expected increase in attorney workyears over the existing number of attorney workyears devoted to priority program area. These percentage increases have been adjusted to reflect the time required to hire new attorneys and for new attorneys to be able to handle a full complement of cases.</p>

* Designates an indicator covering a requested FY 1997 program change. A performance indicator and target must be set for the results that will be achieved should resources be received.

PERFORMANCE MEASUREMENT TABLE: PRESENTED BY GENERAL GOAL

GENERAL GOAL: To timely represent the United States in civil litigation through the expedient steps of appropriate and necessary, including the collection of all fees due, owed the United States, defending the United States and its agencies against all unjust claims, and enforcing and defending the interests of the United States and its agencies in affirmative civil and equity actions.									
PERFORMANCE INDICATOR INFORMATION		PERFORMANCE TARGETS AND ACTUAL RESULTS							
Type of Indicator	Performance Indicators	1992 Actual	1994 Actual	1995 Actual	1996 Target	1997 Target			
Input	1. Number of yearly civil cases filed or responded to by the United States Attorneys' offices.	94,092	83,316	83,321	83,321	83,321			
	*2a. Percentage of total attorney workyears devoted to priority program areas.	22.48%	22.97%	22.86%	22.86%	22.86%			
	*2b. Total attorney workyears devoted to priority program areas.	207.84	202.20	208.67	208.67	208.67			
	*2c. Percentage of total attorney workyears devoted to definitive civil litigation.	39.20%	42.07%	46.19%	46.19%	46.19%			
	*2d. Total attorney workyears devoted to definitive civil litigation.	362.54	370.36	421.67	421.67	421.67			
Output/Activity	3. Annual percentage of all DOJ civil litigation and civil appeals handled collectively by the United States Attorneys' offices.	87.41%	94.17%	90.00%	90.00%	90.00%			
	4. Percentage of civil cases pending for two years or less.	70.69%	71.23%	71.14%	71.14%	71.14%			
	5. Ratio of total annual monetary collections of all United States Attorneys' offices to the total United States Attorneys' operating budget.	96:1	234:1	1.25:1	1.25:1	1.25:1			
	6. Intermediate Outcome								
	7. End Outcome								
End Outcome	9.								
	10.								

Pr Eff...	11.								
<p>A. Definitions of Terms or Explanations for Indicators: Clarify potentially confusing terms. Assume a low level of familiarity with your program.</p> <p>Performance Indicator 1a and 2b: Percentages/numbers displayed here include workyears devoted to affirmative civil enforcement and debt collection assistance priority program areas.</p> <p>Performance Indicator 2c and 2d: Percentages/numbers displayed here include only those workyears devoted to defensive civil litigation. While defensive civil litigation is not deemed a priority program area, per se, this information is presented because it is mandatory that the United States Attorneys defend the government's interests in all lawsuits filed against the United States. Decreases result in the FY 1996 and FY 1997 targets for defensive civil litigation because no resources are expected for these years and because the number of resources expected for affirmative civil enforcement and debt collection assistance in FYs 1996 and 1997 raise the overall number of civil workyears slightly.</p> <p>Performance Indicator 3: Percentages displayed here include only those civil cases and appeals handled in United States District Courts and United States Courts of Appeals.</p> <p>B. Factors Affecting FY 99 Program Performance: Describe reasons for any significant differences between target levels of performance and estimates of actual performance, whether positive or negative.</p> <p>None</p> <p>C. Factors Affecting Selection of FY 96 and 97 Targets: Provide information on the selection of target levels of performance, where necessary.</p> <p>Performance Indicator 1: The United States Attorneys' caseload/pools can be affected by a number of factors including resources; available resources in client agencies and changes in client agency policies; changes in statutory, regulatory, and case laws; changes in ethical and professional standards; changes in Administration and Department priorities; changes in the number and type of suits against the United States and in the number and type of debts owed to the United States, and threats to public health and safety.</p> <p>Performance Indicator 1 and 2: Projected increases in FY 1996 and FY 1997 target levels are based on a calculation of the percentage increase in expected attorney workyears over the existing number of attorney workyears devoted to the priority program areas. This percentage increase has been adjusted to reflect the time required to hire new attorneys and for new attorneys to be able to handle a full complement of cases.</p> <p>Performance Indicator 3: Collections are projected to continue to increase with the advent of affirmative civil enforcement. However, these levels are not projected to equal FY 1994. FY 1994 collections included six exceptionally large recoveries.</p>									

* Designates an indicator covering a requested FY 1997 program change. A performance indicator and target must be set for the results that will be achieved should resources be received.

**United States Attorney
District of Columbia
Department of Justice
Bureau of Prisons
Administration of Prisoners Program Chapter
(Values in thousands)**

	Investigation			White Collar (Offical Person)			BET			Indemnities			Total		
	Pos	NY	Amount	Pos	NY	Amount	Pos	NY	Amount	Pos	NY	Amount	Pos	NY	Amount
Expenditures in budget activity															
Criminal Litigation	30	36	3,150	12	6	1,000	-	-	-	-	-	-	42	42	11,500
Civil Litigation	-	-	-	-	-	-	-	-	3,001	-	-	-	-	-	3,001
Office of Legal Education	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
Management & Administration	30	36	3,150	12	6	1,000	-	-	-	3	1	1,500	45	49	14,000
Total															

United States Attorney
Sullivan and Rosen
Financial Analysis - Program Change
(Dollars in thousands)

Item	Critical		Civil		Management & Administration		Total	
	Pos.	Amount	Pos.	Amount	Pos.	Amount	Pos.	Amount
Grants								
GS-11	12	347	-	-	3	116	3	116
GS-8	33	2,770	-	-	-	-	12	347
Ungraded	45	3,117	-	-	-	-	33	2,770
Total positions and annual rate	(25)	(1,599)	-	-	(2)	(75)	48	3,233
Lapses (-)	-	46	-	-	-	-	(25)	(1,634)
Other personnel compensation	-	-	-	-	-	-	-	46
Total workyears and personnel	22	1,604	-	-	1	41	23	1,645
Compensation								
Personnel benefits	51	51	-	-	34	34	85	85
Travel and transportation of persons	277	277	-	-	13	13	290	290
Transportation of things	19	19	-	-	-	-	19	19
GSA rent	225	225	-	-	15	15	240	240
Rental payments to others	23	23	-	-	2	2	25	25
Comm., utilities, and misc charges	151	151	-	-	10	10	161	161
Printing	37	37	-	-	2	2	39	39
Other services	6,993	6,993	3,821	3,821	33	33	10,847	10,849
Supplies and materials	45	45	-	-	3	3	48	48
Equipment	5,213	5,213	-	-	1,184	1,184	6,397	6,397
Total program workyears and obligations	22	15,138	-	-	1	1,339	23	20,298
changes requested, 1997								

**United States Attorney
General and Executive
Staff of Congressionally Requested
Executive Reports and Evaluations**

1. The Senate Report relating to the Department of Justice Appropriations Act, 1996 (Senate Report 104-139, page 14) required a report on personnel levels at U.S. Attorney offices, plans to address overhiring without impacting criminal prosecutions, and the management controls to ensure that overhiring does not recur. The report was transmitted on September 27, 1995.
2. A letter from Congresswoman Rogers, dated September 26, 1995 requested monthly budget execution reports detailing staffing levels and resource projections. The reports are submitted monthly.
3. Senate Report (103-109) and Committee Report (103-788), both associated with the 1995 Appropriations Act for the Department of Commerce, State, Justice, the Judiciary, and related agencies require a quarterly report on the expenditure of violent crime task force resources. Reports on the status of the task force funds continue to be provided each quarter.
4. Report 104-136 of the House of Representatives for the Departments of Commerce, Justice and State, the Judiciary and related Agencies Appropriations bill requires a continuing report on the status of the proposed legislation for the Department of Justice, dated September 27, 1995 detailing the financing of the supervision of the 1996 International Brotherhood of Teamsters (IBT) election.

United States Attorneys
Salaries and Expenses
1977 Priority Ranking

PAST PROGRAM		PROGRAM INCREASE	
Program	Ranking	Program	Ranking
Criminal Litigation	1	Infrastructure	1
Civil Litigation	2	Southwest Border	2
Office of Legal Education	3	Immigration	3
Management and Administration	4	International Brotherhood of Teamsters	4

United States Attorney
 District of Columbia
 Detail of Personnel Positions by Category
 Fiscal Year 1997 - 1997

Category	1995		1996		1997	
	Authorized	Releasable	Authorized	Releasable	Program Change	Authorized
Attorney (80)	3,871	52	3,871	52	31	4,009
Paralegal (10)	1,227	6	1,227	6	13	1,240
Chief of Investigation Series (1811)	13	13	13	13	13	13
Other Investigation Series (1810)	2	2	2	2	2	2
Other Miscellaneous Occupations (800)	31	11	31	11	31	31
Social Science, Economics and Related (100-199)	6	6	6	6	6	6
Personnel Management (200-299)	9	9	9	9	9	9
General Administration and Clerical (300-399)	1,227	254	1,227	278	278	1,227
Accounting and Budget (500-599)	13	13	13	13	13	13
Information and Data Group (600-699)	11	11	11	11	11	11
Library and Archives Group (700-799)	13	13	13	13	13	13
Supply Group (800-899)	7	7	7	7	7	7
Transportation (900-999)	1	1	1	1	1	1
Sub Total - Direct Appropriation	5,222	914	5,353	997	48	5,372
Washington	184	184	184	184	184	184
U.S. Field V.	8,008	914	8,141	997	48	8,189
Foreign Field	8,222	914	8,353	997	48	8,372
Total						

V Includes positions for field offices in the Washington, D.C. Standard Metropolitan Statistical Area in each year.

United States Attorney
Summary of Income and Support Positions
FY 1988 - 1989

Appropriated Positions Division: LVE	1988 Income in Contingent						1988 Income Level					
	Amount	Chk	Chk	Support	Total	Chk	Amount	Chk	Chk	Support	Total	Chk
Civil Litigation	5,011	5,011	5,011	5,011	5,011	5,011	5,011	5,011	5,011	5,011	5,011	5,011
Civil Litigation	1,047	1,047	1,047	1,047	1,047	1,047	1,047	1,047	1,047	1,047	1,047	1,047
Civil Litigation	0	0	0	0	0	0	0	0	0	0	0	0
Management and Administration	11	11	11	11	11	11	11	11	11	11	11	11
Total	5,071	5,071	5,071	5,071	5,071	5,071	5,071	5,071	5,071	5,071	5,071	5,071

Appropriated Positions Division: LVE	1988 Income in Contingent						1988 Income Level					
	Amount	Chk	Chk	Support	Total	Chk	Amount	Chk	Chk	Support	Total	Chk
Civil Litigation	5,011	5,011	5,011	5,011	5,011	5,011	5,011	5,011	5,011	5,011	5,011	5,011
Civil Litigation	1,047	1,047	1,047	1,047	1,047	1,047	1,047	1,047	1,047	1,047	1,047	1,047
Civil Litigation	0	0	0	0	0	0	0	0	0	0	0	0
Management and Administration	11	11	11	11	11	11	11	11	11	11	11	11
Total	5,071	5,071	5,071	5,071	5,071	5,071	5,071	5,071	5,071	5,071	5,071	5,071

Note: 1989 Program Change FTE includes annualization of positions included in 1988 Request to Congress.

United States Attorney
Salaries and Expenses
Summary of Changes
(Dollars in thousands)

	Perm. Pos.	Work- years	Amount
	8,325	8,622	886,500
1986 Appropriation And Spaid.....			10
Adjustments to base:			10
Transfers from other accounts:			
Mail management redistribution.....			
Total, transfers from other accounts.....			
Mandatory increases:			
Annulization of 25 additional positions approved in 1986.....		13	801
Annulization of 1986 Pay Rule.....			4,065
1987 pay rates.....			11,801
Within-grade increases.....			1,838
General Services Administration (GSA) Rent.....			13,880
Travel - mileage allowance rate.....			288
Accident Compensation.....			43
General pricing level adjustments.....			3,038
Increases in AUS Contract Costs.....			83
Annulization of 1986 locality pay.....			1,801
Administrative Salary Increase.....			3,924
Total, mandatory increases.....		13	41,285
Decreases:			
Non-recurring 1986 Immigration Increase.....			(81)
Non-recurring counterterrorism amendment.....			(7,750)
Total, decreases.....			(7,831)
1987 Base.....	8,325	8,635	928,981
Program changes:			
White Collar.....	12	9	1,045
Immigration.....	53	18	5,153
Infrastructure.....	3	1	12,250
International Brotherhood of Teamsters.....			3,921
Total, program changes.....	48	28	20,369
1987 Request.....	8,373	8,663	949,279

**United States Attorney
Salaries and Expenses
Justification of Adjustments to Base
(Dollars in thousands)**

	Perm. Pos.	Work- year	Amount
Transfers to and from other accounts:			
Mail Management Reallocation			
This reallocation is necessary to align base funding according to the allocation that is being used to distribute 1990 mail management service overhead costs. The funding to be redistributed will be based on the 1985 survey of mail volume, since this represents the current information available.			\$10
Total, transfers from other accounts:			10
Increases:			
1987 Pay Rates and Locality Pay Adjustments			
This request provides for the proposed 3.0 percent pay rate and locality pay adjustment to be effective in January of 1987 and is consistent with Administration policy included in the 1987 President's budget request. The amount requested, \$11,801,000, represents the pay amounts for three-quarters of the fiscal year plus appropriate benefits (\$6,146,000 pay and \$2,665,000 benefits = \$11,801,000).			11,801
Annualization and Increases of 1988 Pay Rates			
The pay annualization represents the quarter amounts (October through December) of the anticipated 1988 pay increase of 2.4 percent, plus appropriate personnel benefits and the additional amount required above the 2.3 percent originally requested for the three-quarters of the year (\$3,151,000 for pay and \$614,000 for benefits).			4,065
Annualization of 1989 Locality Pay Adjustments			
This adjustment represents the 1st quarter amounts of the locality pay increase received January 1989, plus appropriate personnel benefits.			1,801
WFOH - GS-14 Increases			
This request provides for the expected increase in costs of within-grade increases. This increase is based on an accurate, dynamic model of the Department's employee population which includes numerous factors such as anticipated pay raises, adjustments to include three-year advancement rates, and career ladder series to reflect promotion policy for each organization. The request includes \$1,260,000 for pay and \$306,000 for benefits.			1,636

Annulization of 30 Additional Positions Approved in 1967.
This provides for the annulization of 13 additional positions approved in the 1966 President's budget for the
Investigation Initiative.

	Approved 1967 Increase	Annulization Required	Perm. Pos.	Work- years	Amount
Annual salary rate of 30 approved positions	\$2,579			13	\$601
Less Lapse (30%)	(1,428)	\$400			
Net Compensation	1,151	400			
Associated employee benefits	403	75			
Other (non-pensioned)					
Tax	75	41			
Transportation of things	1	8			
GSA Rent	130	130			
Communications/Utilities	104	102			
Printing/Reproduction	13	4			
Other Services	161	115			
Supplies/Materials	26	26			
Equipment	121	"			
Total costs subject to annulization	\$2,158	\$601			

Accident Compensation.
This increase reflects the billing provided by the Department of Labor (DOL) for the actual costs in 1967 of employees' accident compensation. The 1967 amount will be \$43,000.

Total - Miscellaneous Rate Increase.
The mileage allowance rate has increased from 25 to 30 cents per mile. An increase of \$200,000 is requested in 1967 to cover this rate adjustment.

43

200

	Perm. Fss.	Work- Y0873	Amount \$13,000
General Services Administration (GSA) Part			
GSA will continue to charge rental rates that approximate those charged to commercial tenants for equivalent space and related services. The requested increase of \$13,000,000 is required to meet our commitment to GSA. The costs associated with GSA rent were derived through the use of the automated system, which uses the latest inventory data and GSA-provided 1990 rates.
Increase in Automated Litigation Support Contract Costs			
The Secretary of Labor is reviewing the Department's payments of health and welfare fringe benefits for service contracts. We anticipate that the fringe benefit rate will be increased from \$0.80 per hour to \$2.50 per hour (an increase of \$1.50 per hour). This request includes \$1,275 hours covered under the Labor Department's determination at \$1.80 per hour for a total cost of \$60,000 to maintain the current level of services under these contracts.	\$3
General District Level Adjustments			
This request applies OMB pricing guidance as of June 11, 1995, to selected expense categories. The increased costs identified result from applying a factor of 2.1 percent against those sub-budget classes where the price that the Government pays are established through the market system instead of by law or regulation. Generally, the factor is applied to supplies, materials, equipment, contracts with the private sector, printing costs, transportation costs and utilities.	\$3,006
Administrative Salary Increase			
This request provides for an expected annual pay adjustment of administratively determined salaries for the Assistant U.S. Attorneys occupying ungraded positions in the U.S. Attorneys office (\$3,041,000 for pay and \$685,000 for benefits = \$3,926,000).	\$3,924
Total mandatory increases.....	...	13	41,295
Decreases:			
1995 Immigration Increase			
Nonrecurring costs associated with the Immigration positions in the 1995 budget.	(\$1)
Continuation			
Nonrecurring costs associated with the 1995 amendment relating to the Oklahoma bombing.	(7,760)
Total decreases.....	(7,851)
Total adjustments to base.....	...	13	\$3,472

United States Attorneys
Salaries and Expenses
Summary of Payments by Grade and Object Class
(Column in thousands)

Grades and Salary Ranges	1992 Actual		1993 Estimate		1997 Request		Increase/Decrease	
	Pos. & Wts.	Amount	Pos. & Wts.	Amount	Pos. & Wts.	Amount	Pos. & Wts.	Amount
ES-4, \$115,900	1		1		1			
ES-3, \$109,900	2		2		2			
ES-2, \$103,900	22		22		22			
GS-15, \$89,900-\$100,000	46		46		46			
GS-14, \$83,915-\$93,900	180		180		180			
GS-13, \$78,935-\$88,915	301		301		301			
GS-12, \$74,955-\$84,935	425		425		425			
GS-11, \$70,975-\$80,955	70		70		70			
GS-10, \$66,995-\$76,975	359		359		359			
GS-9, \$62,915-\$72,995	353		353		353			
GS-8, \$58,935-\$68,915	1,028		1,028		1,028			
GS-7, \$54,955-\$64,935	266		266		266			
GS-6, \$50,975-\$60,955	201		201		201			
GS-5, \$46,995-\$56,975	150		150		150			
GS-4, \$42,915-\$52,995	3		3		3			
GS-3, \$38,935-\$48,915	3,890		3,890		3,890			
GS-2, \$34,955-\$44,935								
Ungraded positions								
1997 Pay Rates								
Total, appropriated positions	8,222	466,913	8,222	466,913	8,222	466,913		
Pay above stated annual rate								
Law Enforcement	(541)	(33,582)	(531)	(33,582)	(541)	(33,582)		
Salaries due to leave pay rates for part of year								
Net, full-time personnel	7,681	433,331	7,691	433,331	7,681	433,331		
Other than personnel:								
Part-time personnel	366	15,791	356	15,791	376	15,791		
Temporary employment	512	18,228	472	22,360	472	22,360		
Other personnel compensation								
Overhead	71	6,004	71	5,174	71	5,174		
Law Enforcement Availability Pay	6	1,800	6	200	6	200		
Other compensation								
Special project services payment								
Net, Workforce & personnel compensation	8,658	495,158	8,699	509,214	8,735	528,124		
Average Ungraded								
Average ES Salary		\$87,227		\$89,197		\$88,929		
Average GS Salary		\$18,100		\$18,760		\$18,760		
Average GS Grade		\$32,994		\$33,326		\$34,100		
Average GS Grade		7.99		8.00		8.15		

United States Antarctic
Program
Summary of Expenditures by Object and Object Class

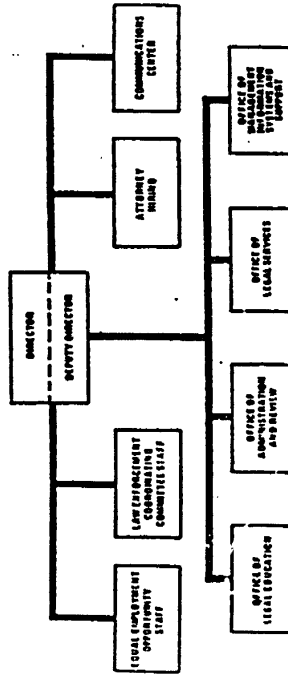
Object Class	1975 Actual		1975 Estimate		1977 Request		Increase/Decrease	
	Mtys.	Amount	Mtys.	Amount	Mtys.	Amount	Mtys.	Amount
11.1 Total employees & personnel compensation.....	7,661	945,628	7,794	940,218	7,808	948,151	14	311,433
11.2 Other than full-time personnel.....	896	31,979	828	39,023	830	40,481	22	1,428
11.3 Other personnel compensation.....	79	7,283	79	3,847	79	3,843	-	15
11.4 Special personnel services payments.....	-	7,116	-	2,996	-	3,600	-	34
Total.....	8,556	993,506	8,701	986,214	8,717	995,124	36	19,930
Reimbursable workyears.....								
Per - time payments.....	(845)		(853)		(853)		(8)	
Other Object Classes.....								
12.0 Personnel benefits.....	106,390		104,081		113,946		7,865	
13.0 Benefits to former personnel.....	2,402		719		719		-	
14.0 Travel and transportation of personnel.....	17,239		11,526		12,471		945	
22.0 Transportation of things.....	2,312		2,553		2,439		106	
23.1 OMA rent.....	106,427		109,683		123,983		14,300	
23.2 Rental payments to others.....	703		8,100		6,164		64	
23.3 Claims, oil, & other marine charges.....	26,494		30,345		30,809		236	
23.4 Fueling and reproduction.....	4,286		4,144		4,287		143	
23.5 Other marine and subsistence services.....	17,149		14,426		14,426		143	
23.6 Other marine and subsistence services.....	47,026		51,226		48,226		820	
25.3 Operations of goods & services from Gov't accounts.....	16,376		13,396		31,323		15,647	
25.4 Operations and maintenance of facilities.....	8,153		9,649		10,491		1,842	
25.5 Medical care.....	171		190		220		30	
25.7 Operations and maintenance of equipment.....	322		357		414		57	
26.0 Supplies and materials.....	9,149		14,288		16,779		491	
31.0 Equipment.....	22,831		13,969		14,729		(1,100)	
41.0 Grants, subsidies, and contributions.....	-		-		-		-	
42.0 Insurance claims and indemnities.....	179		-		-		-	
Total obligations.....	873,426		893,509		948,279		36	33,770
Unobligated balance, start of year.....	(21,463)		(23,871)		(23,871)			
Unobligated balance, end of year.....	23,871		23,871		23,871			
Total report balance.....	873,426		893,509		948,279			
Balance of Obligations to OASD.....								
Total obligations.....	873,426		893,509		948,279			
Obligated balance, start of year.....	17,543		18,672		12,827			
Obligated balance, end of year.....	(18,672)		(13,827)		(12,827)			
Change.....	874,317		894,354		948,151			

March 8, 1996

Department of Justice
United States Attorneys
Violent Crime Reduction Trust Program
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EXECUTIVE OFFICE FOR UNITED STATES ATTORNEYS



Walter J. ... Dir. *8/12/44*
 Atty. Gen. ...

Violent Crime Reduction Program, United States Attorneys

Summary Statement

Fiscal Year 1992

The United States Attorneys are requesting, for 1992, a total of 395 positions (including 233 attorneys) 333 workyears, and \$44,409,000 from the Violent Crime Reduction Trust Fund. This represents an increase of 125 positions (including 78 attorneys), 63 workyears, and \$11,077,000 above the FY 1991 base.

The United States Attorneys are the principal litigators for the United States Government. It is their task to prosecute those who violate our nation's laws, to protect the public from those who could harm it, to prevent their further activities, and to ensure that the Federal Government, to protect the legitimate powers of the Federal Government from those who would usurp those powers, and to assert policies established by the Congress, the Administration and the Attorney General.

The United States Attorneys' request consists of two decision units. They are: Criminal Litigation and Civil Litigation. The request for each decision unit is discussed below.

CRIMINAL LITIGATION

The criminal litigation activity is conducted by 94 United States Attorneys' offices, each of which has the responsibility for the investigation and prosecution of a wide range of criminal behavior. Violent Crime Reduction Trust Fund resources are directed to the 34 against violent crime and provision of 119 positions (including 75 attorneys), 60 workyears and \$10,577,000 to increase efforts against the flow of narcotics and dangerous drugs along the southwest border and 6 positions (including 3 attorneys), 3 workyears and \$100,000 to protect senior citizens against marketing scams.

CIVIL LITIGATION

Civil Litigation is conducted by 94 U.S. Attorneys' offices, each of which has the responsibility to protect and advance the interests of the United States government through the conduct of civil litigation. Violent Crime Trust Fund resources were directed to the President's enhanced immigration initiative. The United States Attorneys request includes no changes for this program.

United States Attorneys

Violent Crime Reduction Trust Fund

Justification of proposed changes in Appropriation Language

The 1997 budget estimates include proposed changes in the appropriation language listed and explained below. New language is underscored and deleted matter is enclosed in brackets.

Salaries and expenses, United States Attorneys

[In addition to amounts otherwise made available in this Act for "salaries and expenses, United States Attorneys", (\$4,800,000) for necessary expenses associated with the President's Immigration Initiative, of which not to exceed \$2,000,000 shall remain available until expended].

For activities authorized by sections 40114 and 10001(d) of Public Law 102-322, \$4,800,000 to remain available until expended, which shall be derived from the Violent Crime Reduction Trust Fund of which \$2,715,000 shall be available to help pay the increased costs for 1996 of the activities authorized by sections 40114 and 10001(d) of Public Law 102-322 for activities authorized by sections 40114 and 10001(d) of Public Law 102-322 for activities authorized by sections 40114 and 10001(d) of Public Law 102-322.

Note.— A regular 1996 appropriation for this account had not been enacted at the time this budget was prepared. The 1996 amounts included in this budget are based on the levels provided in three continuing resolutions: P.L. 104-91, P.L. 104-92 and P.L. 104-93.

United States Attorney
Violent Crime Reduction Program
Salaries and Expenses
Comparison of 1998 Changes
(Dollars in thousands)

Activity/Program	1998 President's Budget Request		Congressional Appropriation Action on 1998 request		Reprogramming		1998 Conference Allowance		
	Pos	WT Amount	Pos	WT Amount	Pos	WT Amount	Pos	WT Amount	
Criminal Litigation.....	66	\$5,500	125	125	...	...	190	190	\$20,789
Civil Litigation.....	80	9,231	...	...	...	...	80	80	9,231
Total.....	146	14,731	125	125	...	...	270	240	30,000

Congressional Appropriation Action on 1998 Request. Congress provided an increase of \$15,980,000 in funding from the VCRTF in order to meet increased demands for litigation and related activities.

United States Attorney
Yolande C. Davis-Burke
Federal Office
Department of Justice
(Office in New York)

Adjustments to Base		1996 VCEP Appropriation Anticipated		1995 Actual /1		1996 Appropriation Anticipated		1997 Base		1997 Estimate		Increase/Decrease	
Per.	NY	Per.	NY	Per.	NY	Per.	NY	Per.	NY	Per.	NY	Per.	NY
1996 VCEP Appropriation Anticipated		1996 VCEP Appropriation Anticipated		1995 Actual /1		1996 Appropriation Anticipated		1997 Base		1997 Estimate		Increase/Decrease	
Per.	NY	Per.	NY	Per.	NY	Per.	NY	Per.	NY	Per.	NY	Per.	NY
270	340	270	340	270	340	270	340	270	340	270	340	270	340
Increase		Increase		Increase		Increase		Increase		Increase		Increase	
-	30	-	30	-	30	-	30	-	30	-	30	-	30
Nonrecurring decrease		Nonrecurring decrease		Nonrecurring decrease		Nonrecurring decrease		Nonrecurring decrease		Nonrecurring decrease		Nonrecurring decrease	
-	-	-	-	-	-	-	-	-	-	-	-	-	-
1997 VCEP Base		1997 VCEP Base		1997 VCEP Base		1997 VCEP Base		1997 VCEP Base		1997 VCEP Base		1997 VCEP Base	
270	370	270	370	270	370	270	370	270	370	270	370	270	370
1996 Appropriation Anticipated		1996 Appropriation Anticipated		1996 Appropriation Anticipated		1996 Appropriation Anticipated		1996 Appropriation Anticipated		1996 Appropriation Anticipated		1996 Appropriation Anticipated	
Per.	NY	Per.	NY	Per.	NY	Per.	NY	Per.	NY	Per.	NY	Per.	NY
270	340	270	340	270	340	270	340	270	340	270	340	270	340
Estimate for Program		Estimate for Program		Estimate for Program		Estimate for Program		Estimate for Program		Estimate for Program		Estimate for Program	
Per.	NY	Per.	NY	Per.	NY	Per.	NY	Per.	NY	Per.	NY	Per.	NY
190	140	190	140	190	140	190	140	190	140	190	140	190	140
Criminal Litigation		Criminal Litigation		Criminal Litigation		Criminal Litigation		Criminal Litigation		Criminal Litigation		Criminal Litigation	
80	80	80	80	80	80	80	80	80	80	80	80	80	80
Civil Litigation		Civil Litigation		Civil Litigation		Civil Litigation		Civil Litigation		Civil Litigation		Civil Litigation	
80	80	80	80	80	80	80	80	80	80	80	80	80	80
Total		Total		Total		Total		Total		Total		Total	
270	340	270	340	270	340	270	340	270	340	270	340	270	340
Reimbursable Workyears		Reimbursable Workyears		Reimbursable Workyears		Reimbursable Workyears		Reimbursable Workyears		Reimbursable Workyears		Reimbursable Workyears	
Per.	NY	Per.	NY	Per.	NY	Per.	NY	Per.	NY	Per.	NY	Per.	NY
40	40	40	40	40	40	40	40	40	40	40	40	40	40
Total Workyears		Total Workyears		Total Workyears		Total Workyears		Total Workyears		Total Workyears		Total Workyears	
270	340	270	340	270	340	270	340	270	340	270	340	270	340
Other Workyears:		Other Workyears:		Other Workyears:		Other Workyears:		Other Workyears:		Other Workyears:		Other Workyears:	
Per.	NY	Per.	NY	Per.	NY	Per.	NY	Per.	NY	Per.	NY	Per.	NY
40	40	40	40	40	40	40	40	40	40	40	40	40	40
Holiday		Holiday		Holiday		Holiday		Holiday		Holiday		Holiday	
40	40	40	40	40	40	40	40	40	40	40	40	40	40
Overtime		Overtime		Overtime		Overtime		Overtime		Overtime		Overtime	
40	40	40	40	40	40	40	40	40	40	40	40	40	40
ALJO		ALJO		ALJO		ALJO		ALJO		ALJO		ALJO	
40	40	40	40	40	40	40	40	40	40	40	40	40	40
Other		Other		Other		Other		Other		Other		Other	
40	40	40	40	40	40	40	40	40	40	40	40	40	40
Total compensable workyears		Total compensable workyears		Total compensable workyears		Total compensable workyears		Total compensable workyears		Total compensable workyears		Total compensable workyears	
270	370	270	370	270	370	270	370	270	370	270	370	270	370

/1 The workyears appearing in the President's budget appendix have been updated.

United States Attorney
Violent Crime Reduction Program Fund
Program Performance Information
 (Dollars in thousands)

ACTIVITY: CRIMINAL LITIGATION

	Perm. FOML	NY	Amount
Criminal Litigation			
1996 Appropriation Anticipated	100	100	\$20,760
1997 Estimate	100	100	20,760
1997 Estimate	115	233	35,032
Increase/Decrease	15	133	14,272

BASE PROGRAM DESCRIPTION:

The United States Attorneys are responsible for the investigation and prosecution of a wide range of criminal activities. The United States Attorneys receive most of their criminal case referrals from federal investigative agencies or become aware of criminal activities in the course of investigating or prosecuting other cases. They also work with other federal agencies, state and local agencies in conducting other cases. The United States Attorneys are responsible for the investigation, prosecution, and operation of violent crime task force, criminal justice training, and other violent crime initiatives. Services and counseling are provided to the victims of violent crimes.

ACTIVITY: CIVIL LITIGATION

	Perm. FOML	NY	Amount
Civil Litigation			
1996 Appropriation Anticipated	80	80	\$9,231
1997 Estimate	80	80	9,231
1997 Estimate	80	80	9,231
Increase/Decrease	...	...	...

BASE PROGRAM DESCRIPTION: As the attorneys and counselors for the United States, the United States Attorneys do a substantial amount of work in civil litigation. Their workload in the civil field includes providing competent legal representation to aggressively pursue civil enforcement of federal laws and regulations, including immigration laws and regulations. One program of the President's Immigration Initiative is to make timely decisions to those immigrants requesting asylum in this country. This program supports litigation which arises from appeal of Immigration Judge decisions at the Federal Court level.

INITIATIVE

Peru.	XX	Amount
119	60	\$10,577

Maroonies and Dangerous Drugs
South West Border Initiative
Criminal Litigation

The United States Attorneys are requesting 119 positions (including 75 attorneys), 60 workyears and \$10,577,000 to combat drugs along the Southwest border.

As highlighted in a report issued by the Office of National Drug Control Policy, entitled *Rules Check: National Trends in Drug Abuse*, December 1994, the drug problem is far from over. The report states that heroin continues to be a significant problem in major cities, with reported increases in juvenile users. More teenagers and young adults nationwide are using heroin, and some are injecting as a primary route of administration.

The fall 1995 report from the Office of National Drug Control Policy, *National Trends in Drug Abuse*, states that marijuana use continues to increase in all areas, particularly among teens and young adults. The report indicates that the sources of marijuana both local and imported, about 60 percent from Mexico and the Caribbean. The report also states that the large majority of marijuana is the Texas border, where growers and distributors have widespread large quantities of marijuana. The report also states that the release to distributors in other areas of the country. According to the report, methamphetamine, LSD and benzodiazepine hydrocodone were the emerging drugs as of the fall of 1995. The report states that methamphetamine has been a serious problem in the West and Southwest for a number of years, its increasing availability from domestic laboratories and the abundant supply of the drug and/or its chemical precursors from Mexico, have encouraged markets outside those areas.

The report concluded by stating that a continuing presence of high-purity, low-priced heroin is found in many urban areas. In addition to the traditional heroin addict, non-traditional groups of users are forming and growing larger.

The drug problem has other aspects, as well. As indicated by a recent General Accounting Office (GAO) report entitled *Border Patrol: Expanded Activity in Border Patrol Activity*, December 1994. This report highlights the fact that between FY 1990 and FY 1993, the number of border patrol drug seizures along the Southwest border alone rose from around 4,200 to 6,400, an increase of over 50 percent. The amount of cocaine seized nearly doubled in the same period of time from about 14,000 pounds to about 27,000 pounds. A different study cited in the GAO report, entitled *Enforcement Problems of the Southwest Border*, deemed drug smuggling a serious threat in south Texas and the southern Arizona border area, which is dubbed "Cocaine Alley."

The drug problem is further highlighted in a GAO report to the Congress entitled *Drug Control: Administration Problems in Central America and Little Impact on the Flow of Drugs*, August 1994, which provided statistics showing that, just on the United States/Mexico border alone, almost 6,600 tractor

trailer trucks and 211,000 passenger vehicles cross the border each day. In this report, GAO reported to the Chairman, Subcommittee on Information, Justice, Transportation, and Agriculture, Committee on Government Operations, House of Representatives, that "available evidence suggests that the supply of drugs entering the United States via Central America remains virtually uninterrupted."

The results of the Client Agency Survey conducted by the Executive Office for United States Attorneys indicates that our client agencies are projecting a continued increase in referrals to the United States Attorneys' offices. Total projected narcotic referrals, as stated by 13 agencies who anticipate referrals in this area, are estimated to grow from 19,659 in 1993, to 20,724 in 1994, and up to 22,317 in 1995. This constitutes a projected increase of 13.6 percent from 1993 to 1997.

The Administrative Office of United States Courts 1994 Annual Report indicates that the declining emphasis on small-scale drug offenders has caused the narcotics caseload to become more complex and time consuming. Among the factors cited in the report was the fact that drug cases involving distribution have increased over 56 percent and possession cases have declined 16 percent. The report stated that cocaine/heroin distribution offenses take 300 percent more of a judge's time per defendant than cocaine/heroin possession.

The report went on to state that "drug cases are particularly lengthy and have been growing more protracted, in part, as a result of more complex prosecutions. In 1992, the median time from filing to disposition was 6.7 months; in 1993, 7.1 months; in 1994, 7.4 months; and, in 1995 increased to 7.8 months. This observation by the Courts is supported by our case management system data which indicates that the percentage of cases filed with four or more defendants has been increasing. Specifically, the percentage of drug cases filed with four or more defendants has increased from 8.9 percent in 1993 to 9.3 percent in 1994, and 9.4 percent in 1995.

The United States Attorneys directed substantial resources to the prosecution of non-OCNRY narcotics cases during 1995. These cases represented 22.9 percent of all criminal cases filed during the year, up from 21.9 percent in 1994. A total of 8,119 cases were filed, up from 7,435 cases filed in 1994, an increase of 9.2 percent. During 1995, 18,767 defendants were charged, up from 18,043 in 1994, an increase of 4.0 percent.

More striking in terms of workload is the increasing percentage of non-OCNRY drug cases prosecuted which are drug trafficking, versus simple drug possession. Drug trafficking cases generally are more difficult to prosecute, and involve a greater number of defendants than drug possession cases. During 1995, drug trafficking cases accounted for 36.4 percent of the total number of non-OCNRY cases filed, up from 33.2 percent in 1994.

The increased prosecutions in the drug area consumed a greater portion of the United States Attorneys' personnel resources. During 1995, the total number of attorney workyears devoted to non-OCNRY drug prosecutions increased by 11.4 or 11.9 percent. Non-OCNRY drug cases during 1995 consumed 11.6 percent of all criminal attorney workyears, up from 11.3 percent in 1994.

Clearly, these reports and information indicate that drug usage and distribution remains a nationwide problem and will grow in the future. Our request seeks to address the projected growth in drug possession and distribution as well as augment United States Attorney capacity on the Southwest Border to support the extensive investigative initiative currently underway in the region.

**Seniors Against Marketing Schemes
Criminal Litigation**

The United States Attorneys are requesting 6 positions (3 attorneys) 3 vacancies and \$100,000 to address the problem of marketing rooms which target senior citizens.

Over the past fifteen years, telemarketing fraud has grown from a relatively small problem whose primary victims were small businesses, into a multi-billion dollar a year industry that has become adept at identifying and victimizing vulnerable elderly people in particular. Inherent problems in prosecuting telemarketing fraud are the lack of a national law enforcement agency with the scope of operations to coordinate the efforts of state and local law enforcement agencies. The industry has continued to flourish in spite of the fact that hundreds of fraudulent telemarketers were prosecuted. The industry has continued to flourish in spite of the fact that telemarketers simply moved out of "hot" areas into areas where law enforcement was perceived as lax, and modified their pitches to reflect recent developments.

At present, law enforcement efforts are underway to gather substantial amounts of evidence that will be available to prosecutors in the future who wish to target existing schemes. Recent efforts have identified hundreds of fraudulent phone schemes across the United States, far more than can be prosecuted by the present number of prosecutors, particularly in districts with significant unexploited cases, such as Las Vegas and the Los Angeles/Orange County area. Additional prosecutorial resources are necessary to have an impact on the flourishing fraudulent telemarketing industry that exists in those and other areas.

United States Attorney
 Violent Crime Reduction Program
 Justification of Needs - Activity Program Changes
 (Dollars in thousands)

	Drug, SW Border			Marketing Scales/Sensor citizens			Total	
	Pos	WY	Amount	Pos	WY	Amount	Pos	WY
Estimates by Independent Activity								
Criminal Litigation	119	60	10,577	6	3	500	125	63
								11,077

United States Attorney
Violent Crime Reduction Program
Financial Analysis - Program Charges
(Dollars in thousands)

Item	Criminal	
	Pos.	Amount
Grades		
GS-11.....	7	270
GS-8.....	40	1,155
Ungraded.....	78	6,548
Total positions and annual rate.....	125	7,973
Lapses (-).....	(62)	(3,987)
Other personnel compensation.....	..	33
Special Personnel services payments.....	..	78
Total workyears and personnel		
Compensation.....	63	4,097
Personnel benefits.....		1,391
Travel and transportation of persons.....		702
Transportation of thing.....		46
GSA rent.....		623
Rental payments to others.....		66
Comm., utilities, and misc charges.....		420
Printing.....		99
Other services.....		2,084
Supplies and materials.....		125
Equipment.....		1,422
Total program workyears and obligations		
changes requested, 1997.....	63	11,077

United States Attorneys -
Violent Crime Reduction Program
1997 Priority Ranking

BASE PROGRAM		PROGRAM INCREASE	
Program	Ranking	Program	Ranking
Criminal Litigation	1	Southwest Border	1
Civil Litigation	2	Seniors Against Marketing Scams	2

United States Attorney
Violent Crime Reduction Program
Detail of Permanent Positions by Category
Fiscal Years 1995 - 1997

Category	1995 Authorized	1996 Authorized	1997	
			Program Changes	Authorized
Attorneys (905)	40	155	78	233
Paralegal Specialist (950)	13	13	7	20
Legal Clerk and Technician (986)	27	97	40	137
Social Sciences, Economics and kindred (100 - 199)		5		5
Total	80	270	125	395
Washington				
U.S. Field 1/	80	270	125	395
Foreign Field				
Total	80	270	125	395

1/ Includes positions for field offices in the Washington, D.C. Standard Metropolitan Statistical Area in each year.

United States Attorney
 Violent Crime Reduction Program
 Summary of Attorney and Support Positions
 FY 1999 - 1997

Appropriated Positions Division Unit	1999 Appropriation Anticipated						1997 Program Change						1997 Request Level					
	Attorneys			Support			Attorneys			Support			Attorneys			Support		
	Pos	FTE	Total	Pos	FTE	Total	Pos	FTE	Total	Pos	FTE	Total	Pos	FTE	Total	Pos	FTE	Total
Criminal Litigation	115	88	160	75	65	100	78	59	125	47	34	83	188	154	342	122	88	230
Civil Litigation	50	40	90	40	40	80	22	22	44	22	22	44	40	40	80	40	40	80
Total	165	128	250	115	105	240	100	81	169	69	56	127	228	194	426	162	128	310

Note: 1997 Program Change FTE includes annualization of positions included in 1999 Appropriation Anticipated

United States Attorneys
Violent Crime Reduction Program
Salaries and expenses
Summary of Change
(Dollars in thousands)

	Perm. Pos.	Work- years	Amount
	270	240	30,000
1996 Appropriation Anticipated.....			
Adjustments to base:			
Increases:			
Annualization of 60 additional positions approved in 1996.....		30	3,388
1997 pay raise.....			245
Annualization of 1996 locality pay.....			32
Annualization of 1996 Pay Raise.....			83
General pricing level adjustments.....			73
Administrative Salary Increase.....			78
Total Increases.....		30	3,899
Decreases:			
Non-recurring.....			(567)
Total decreases.....			(567)
1997 Base.....	270	270	33,332
Program changes:			
Drugs Southwest Border.....	119	80	10,577
Marketing Scheme/Senior Citizens.....	6	3	500
Total program changes.....	125	83	11,077
1997 Request.....	395	353	44,409

685

United States Attorneys
Violent Crime Reduction Programs
Justification of Appropriations to "see"
(Dollars in thousands)

	Perm. Pos.	Work - Years	Amount
1997 Pay Rates and Locality Pay Adjustment			
This request provides for the proposed 3.0 percent pay rate and locality pay adjustment to be effective in January of 1997. The 1997 pay rates for the 1997 President's budget request are \$180,000 for pay and \$18,000 for benefits. The amount requested, \$245,000, represents the pay rates for three-quarters of the fiscal year plus appropriate benefits (\$180,000 pay and \$24,000 benefits = \$204,000).	\$245
Annualization and Increase of 1998 Pay Rates			
This pay annualization represents first quarter amounts (October through December) of the anticipated 1998 pay increase of 2.4 percent estimated to be effective January 1998, plus appropriate personnel benefits and the additional amount required above the 2.2 percent originally requested for the three-quarters of the year (\$85,000 for pay and \$18,000 for benefits).	83
Annualization of 1998 Locality Pay Adjustment			
The adjustment represents the 1st quarter amounts of the locality pay increase received January 1998 plus appropriate personnel benefits.	32
Administrative Salary Increase			
This request provides for an expected annual pay adjustment of administrative determined salaries for the Assistant U.S. Attorneys occupying ungraded positions in the U.S. Attorneys office (\$60,000 for pay and \$18,000 for benefits = \$78,000).	78
Annualization of 26 Additional Positions Approved in 1998			
This provides for the annualization of 13 additional positions approved in the 1995 President's budget for the Immigration Initiative.	..	30	\$3,368

	Approved 1995 Estimate	Annualization Required
Annual salary rate of 26 approved positions	\$3,944	
Less: Leave (80%)	(1,819)	\$2,000
Net Compensation	2,029	2,000
Associated employee benefits	711	578
Other (non-personnel)	344	
Travel	23	1
Transportation of things	300	300
GSA Rent	254	242
Communications/Utilities	47	
Printing/Reproduction	56	504
Contract services	80	65
Supplies/Materials	984	
Equipment		
Total costs subject to annualization	86,000	\$3,368

	Perm. Pos.	Work - years	Amount
General Pricing Level Adjustments			
This request applies OMB pricing guidance as of June 11, 1995, to selected expense categories. The increased costs identified result from applying a factor of 2.7 percent against those subobject classes where the prices that the Government pays are established through the market system instead of by law or regulation. Generally, the factor is applied to supplies, materials, equipment, contracts with the private sector, printing costs, transportation costs and utilities.	75
Total mandatory increases	..	50	3,899
Decreases:			
Other:	(967)
Nonrecurring costs associated with the Immigration positions in the 1996 budget.	(967)
Total decreases	(967)
Total adjustments to base	..	50	3,332

United States Attorneys
Violent Crime Reduction Programs
Summary of Requirements for Grade and Offset Change
(Dollars in thousands)

Order and Salary Ranges	1995 Actual		1996 Estimate		1997 Request		Increase/Decrease	
	Pos. & Wys.	Amount	Pos. & Wys.	Amount	Pos. & Wys.	Amount	Pos. & Wys.	Amount
ES-6, \$115,700.....
ES-4, \$109,400.....
ES-3, \$100,000.....
GS-15, \$89,500-\$91,090.....
GS-14, \$58,915-\$6,591.....
GS-13, \$49,256-\$48,814.....
GS-12, \$41,296-\$4,508.....
GS-11, \$34,981-\$3,493.....
GS-10, \$29,159-\$1,888.....
GS-9, \$23,112-\$1,528.....
GS-8, \$28,175-\$1,023.....
GS-7, \$23,534-\$9,726.....
GS-6, \$21,288-\$7,426.....
GS-5, \$19,081-\$4,605.....
GS-4, \$17,053-\$2,176.....
GS-3, \$15,195-\$9,517.....
GS-2, \$13,923-\$7,519.....
Ungraded positions.....	40	...	135	...	235	...	78	833
1997 Pay Rate.....	80	4,679	270	16,265	395	34,622	125	8,351
Total, appropriated positions.....
Pay above stated annual rates.....
Leaves.....	(46)	(2,182)	(30)	(1,944)	(62)	(3,969)	(26)	(2,492)
Savings due to lower pay scales for part of year.....
Net full-time permanent.....	34	2,497	240	14,321	333	20,652	95	6,271
Other than permanent:
Part-time permanent.....	...	36	...	...	...	27	...	27
Temporary employment.....
Other permanent compensation.....
Overhead.....	...	15	...	134	...	193	...	99
Low Enhancement Availability Pay.....
Other compensation.....
Special judicial services payments.....
Total, Workyears & permanent compensation.....	34	2,776	240	14,455	333	21,773	95	6,457
Average Ungraded.....	...	863,944	...	864,867	...	867,498	...	...
Average GS Salary.....	...	\$32,735	...	\$31,440	...	\$31,343	...	...
Average GS Credit.....	...	8.96	...	8.55	...	8.52	...	...

United States Attorney
Violent Crime Reduction Program
Summary of Requirements by Grade and Object Class

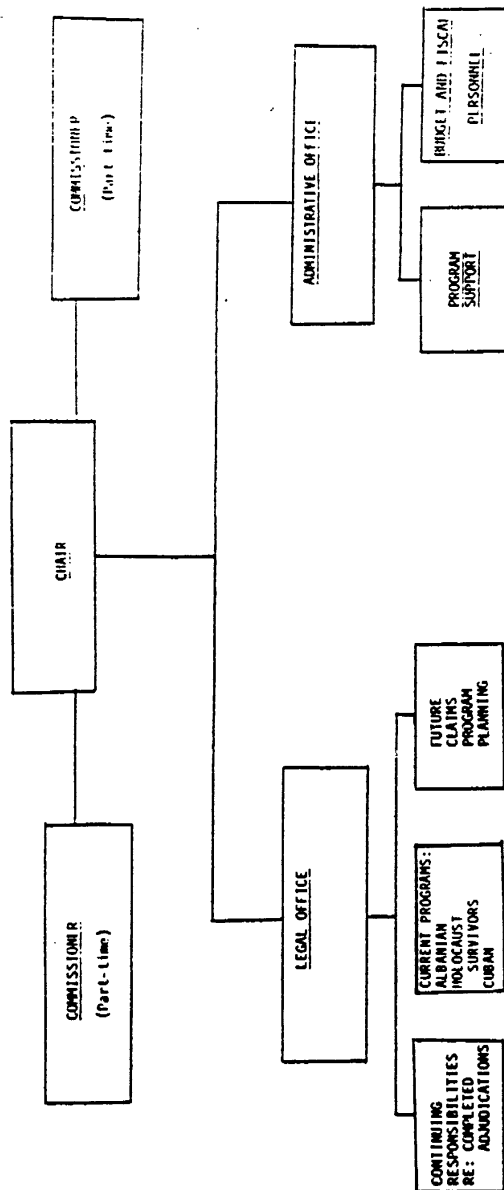
Object Class	1995 Actual		1996 Estimate		1997 Request		Increase/Decrease	
	WYR	Amount	WYR	Amount	WYR	Amount	WYR	Amount
11.1 Total workyear & personnel compensation.....	34	\$2,497	115	\$14,341	148	\$20,612	33	\$6,271
11.3 Other than full-time permanent.....	..	36	..	..	..	27	..	27
11.5 Other personnel compensation.....	..	15	..	134	..	193	..	59
11.8 Special personnel services payments.....	..	128	..	161	..	241	..	80
Total.....	34	2,676	115	14,636	148	21,073	33	6,437
Other Object Classes:								
12.0 Personnel benefits.....	585		4,287		6,352		2,065	
13.0 Benefits to former personnel.....	69		1,473		2,084		611	
21.0 Travel and transportation of persons.....	9		97		145		48	
22.0 Transportation of things.....	800		2,175		3,100		925	
23.1 GSA rent.....	3		238		336		98	
23.2 Rental payments to others.....	..		1,454		2,084		630	
23.3 Comm., util., & other misc. charges.....	..		207		307		100	
24.0 Fringing and reproduction.....	431		3,806		6,122		2,316	
25.2 Other services.....	1		9		15		6	
25.3 Purchases of goods & arcs from Gov't accounts.....	46		363		556		193	
26.0 Supplies and materials.....	190		1,255		2,235		980	
31.0 Equipment.....	4,810		30,000		44,409		14,409	
Total obligations.....								
Unobligated balance, start of year.....	..		(1,990)		(1,990)			
Unobligated balance, end of year.....	1,990		1,990		1,990			
Total requirements.....	6,800		30,000		44,409			
Relation of Obligations to Outlays:								
Total obligations.....	4,810		30,000		44,409			
Obligated balance, start of year.....	..		210		3,777			
Unobligated balance, end of year.....	(210)		(3,777)		(3,777)			
Outlays.....	4,600		26,403		42,594			

DEPARTMENT OF JUSTICE
 External Claims Settlement Commission
 Estimates for Fiscal Year 1991
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FOREIGN CLAIMS SETTLEMENT COMMISSION
OF THE
UNITED STATES



William A. Kilgus
DIRECTOR, FISCAL, PERSONNEL

Foreign Claims Settlement Commission
Salaries and Expenses
Summary Statement
Fiscal Year 1997

The Foreign Claims Settlement Commission is requesting a total of 9 permanent positions, 9 workyears, and \$878,000 for 1997. This request represents a net increase of \$48,000 from the 1996 appropriation anticipated.

The Commission consists of a Chair and two part-time Commissioners, who are appointed by the President with the advice and consent of the Senate. The part-time Commissioners receive compensation at the Executive Level V rate of pay for performance of official business of the Commission at the direction of the Chair.

The principal mission of the Commission is to adjudicate claims of U.S. nationals against foreign governments, under jurisdiction conferred by the International Claims Settlement Act of 1949, as amended, and other authorizing legislation. To date, the Commission has compiled and evaluated such claims against 16 countries: Yugoslavia, Panama, Bulgaria, Hungary, Romania, Italy, the Soviet Union, Czechoslovakia, Poland, Cuba, China, the German Democratic Republic (East Germany), Vietnam, Ethiopia, Egypt, and Iran.

The operating expenses of the Commission ultimately are borne only partially, if at all, by the taxpayer. In virtually all instances, the legislation authorizing the adjudication of claims has provided for deduction of a percentage of the funds obtained from foreign governments for payment of the Commission's awards to the credit of miscellaneous receipts in the United States Treasury to defray the administrative expenses of conducting the claims programs. Since 1950, the expenditures of the Commission and its predecessors have amounted to approximately \$10 million, but during that same period the amounts paid into the United States Treasury as a result of claims programs have been in excess of \$32 million.

In 1997 the Commission will complete the adjudication of the nearly 100 claims against Albania that were filed in 1995 and 1996 pursuant to the U.S.-Albania claims settlement agreement of March 10, 1995 (effective April 18, 1995). In addition, the Commission will be required to complete the adjudication of claims by U.S. nationals against Germany for Nazi persecution through internment during World War II, as authorized under Public Law 104-99 and the U.S.-German Claims Settlement Agreement of September 19, 1995. The Commission also will be required to research and respond to requests for information concerning properties expropriated by the Castro regime in Cuba, in support of the lawsuits authorized by the new LIBERTAD legislation. Finally, the Commission is engaged in preliminary planning for a major claims program involving Iraq, and it provides continuing technical assistance to the Department of State in conducting ongoing government-to-government claims settlement negotiations, as requested by the Department.

Under the War Claims Act of 1949, as amended, the Commission will continue to have authority to award compensation to American military prisoners of war held in Southeast Asia during the Vietnam conflict, or their survivors, for inadequate rations and inhumane treatment while in captivity.

The Commission will continue to furnish information contained in the records pertaining to the 42 completed international and war-related claims programs that it has conducted since its inception, and to the claims and their heirs' attorneys, and other members of the public, upon request. It will also provide advice on policy determinations, preliminary planning, evaluation of pending claims, and liaison with Congressional committees considering legislation intended to provide for adjudication of additional types or classes of claims.

**Foreign Claims Settlement Commission
Salaries and Expenses
Justification of Proposed Changes in Appropriation Language**

The 1997 budget estimates include changes in the appropriation language listed and explained below.
- New language is underscored and deleted matter is enclosed in brackets.

Salaries and expenses, Foreign Claims Settlement Commission

For expenses necessary to carry out the activities of the Foreign Claims Settlement Commission, including services as authorized by 5 U.S.C. 3109, (\$810,000), \$878,000

22 U.S.C. 1621-1645; 50 U.S.C. App. 2001-2017; P.L. 104-99; P.L. 104-114.

Explanation of changes:

No substantive changes proposed.

**Foreign Claims Settlement Commission
Salaries and Expenses
Continuation of FY 1996 Budget
(Dollars in thousands)**

Budget Activity/Program	1996 President's Budget Request		Congressional Action on 1996 Request		Rescissions/Reversions		1996 Appropriation Anticipated	
	Fed.	NY Amount	Fed.	NY Amount	Fed.	NY Amount	Fed.	NY Amount
1. Adjudication of International Claims.....	—	\$	—	\$	—	\$	—	\$
Total.....	—	\$	—	\$	—	\$	—	\$

Congressional Appropriation Action on 1996 Request: Congress reduced the Commission's FY 1996 budget request of \$905,000 by \$75,000. The \$75,000 requested was for mandatory increases.

Foreign Claims Settlement Commission
Salaries and Expenses
Program Performance Information
Government Performance and Results Act Requirements

Mission:

To make effective determinations of unsettled claims of United States nationals against foreign governments within the framework of the International Claims Settlement Act of 1949 and other pertinent statutes, and to provide assistance to claimants in past international and war claims programs.

Organizational Goals:

- To complete adjudication of U.S. nationals' claims against Albania settled under the 1993 U.S.-Albania claims settlement agreement.
- To complete the adjudication of U.S. nationals' claims against Germany for Nazi persecution through internment during World War II, pursuant to the 1990 U.S.-Germany Claims Settlement Agreement.
- To research and respond to requests for information required to support lawsuits authorized by the new LIBERTAD legislation.
- To assist the Department of State in ongoing negotiations for the settlement of adjudicated claims against foreign governments.
- To advise other agencies and the Congress concerning potential future programs and to comment on pending legislation.
- To conduct preliminary planning of pending new programs.
- To advise on policy determinations relating to the settlement of international claims.
- To assist the Department of the Treasury in making distribution of past awards certified by the Commission.
- To provide timely and pertinent information and advice to Congress and the public.
- To provide general information concerning past programs and to respond to requests about specific decisions the Commission has made on past claims.

Basic Program Description:

In addition to its principal function of adjudicating United States nationals' claims against foreign governments, the Commission provides continuing assistance to claimants (and, where applicable, their heirs) with regard to the 42 completed international and war claims programs it has conducted. It also provides advice on policy determinations, preliminary and evaluation of proposed legislation intended to authorize adjudication of claims of new categories of claimants, and liaison with Congressional committees considering such legislation.

Foreign Claims Settlement Commission
 Selection and Summary
 1997 Priority Rankings

BASE PROGRAM		PROGRAM INCREASE	
Program	Ranking	Program	Ranking
Adjudication of International Claims	1	...	...

Foreign Claims Settlement Commission
 Salaries and Expenses
 Detail of Permanent Position by Category
 Fiscal Year 1995 - 1997

Category	1995	1996	1997
Commissioners.....	3	3	3
Attorneys (905).....	2	2	2
General Administrative			
Clerical and Office Services (300-399)....	4	4	4
Total.....	9	9	9
Washington.....	3	3	3
Total.....	9	9	9

Foreign Claims Settlement Commission
Salaries and Expenses
Summary of Attorney and Support Positions/Workyears
Fiscal Years 1996 - 1997

APPROPRIATED POSITION	1996 Indemnification Indicated			1997 Increases			1997 Request Level		
	Attorneys Pos.	Support Pos.	Total Pos.	Attorneys Pos.	Support Pos.	Total Pos.	Attorneys Pos.	Support Pos.	Total Pos.
Decision Unit	2	7	9	0	0	0	2	7	9
Adjudication of International Claims	2	7	9	0	0	0	2	7	9
Total	4	14	18	0	0	0	4	14	18

Foreign Claims Settlement Commission
Salaries and Benefits
Justification of Adjustment to Base
(Dollars in thousands)

Amount

Mandatory Increases:

1. **1997 pay raise and locality pay adjustment**..... \$24
 This request provides for the proposed 3.0 percent pay raise and locality pay adjustment to be effective in January of 1997 and is consistent with Administration policy included in the 1997 President's budget request. The amount requested, \$24,000, represents the pay amounts for three-quarters of the fiscal year plus appropriate benefits (\$20,000 for pay and \$4,000 benefits - \$24,000).
2. **Annualization and increase of 1996 pay raise**..... 7
 This pay annualization represents first quarter amounts (October through December) of the anticipated 1996 pay increase of 2.4 percent estimated to be effective January 1996, plus appropriate personnel benefits and the additional amount required above the 2.2 percent originally requested for the three-quarters of the year (\$5,000 for pay and \$2,000 for benefits).
3. **Annualization of 1996 locality pay adjustment**..... 2
 This adjustment represents the first quarter amounts of the locality pay increase received January 1996, plus appropriate personnel benefits.
4. **Within-grade increases**..... 5
 This request provides for the expected increase in costs of within-grade increases. This increase is based on an accurate, dynamic model of the Department's compensation system which includes numerous factors such as anticipated pay raises, adjustments to include three-year attrition/separation rates, and career ladder series to reflect the promotion policy for each organization. The request includes \$4,000 for pay and \$1,000 for benefits.

700

Amount

\$10

5. Security Guard Services. Since the Department's components are no longer billed a National Capital Region rate for space they occupy in downtown Washington, D. C., security guard services contracted by the Department (with the exception of the Main Justice Building) are no longer funded through the rent account. Instead, beginning with FY 1995, each component is responsible for funding its portion of security costs for space occupied in buildings where guard services are provided. The requested increase of \$10,000 is based on the pro rata share of space occupied by this Commission.

48

Total mandatory increases.

Foreign Claims Settlement Commission
Salaries and expenses
Summary of Requirements by Grade and Object Class
(Dollars in thousands)

Object Class	1953 Actual Workyears Amount	1954 Estimate Workyears Amount	1957 Request Workyears Amount	Increase/Decrease Workyears Amount
11 Personnel compensation:				
11.1 Full-time permanent.....	6	9392	7	8420
11.2 Other than permanent.....	2	48	2	78
11.3 Other personnel compensation.....	0	440	3	438
Total.....				
				31
Other Object Classes:				
12 Personnel benefits.....	82	66	93	7
13 Benefits to former personnel.....	1	10	10	9
21 Travel and transportation of persons.....	21	12	12	9
22 Transportation of things.....	138	165	165	27
23.1 Rental payments to GSA.....				
23.2 Communications, utilities, and miscellaneous charges.....	24	19	19	5
24 Printing and reproduction.....	6	5	5	1
25 Other services.....	98	21	21	77
26 Supplies and materials.....	24	8	8	16
27 Repairs.....	1	0	0	1
Total obligations.....	8	804	3	878
Unobligated balance, lapsing.....				
Total requirements.....	8	810	3	878
Relation of Obligations to Outlays:				
Obligations, start of year.....	804	810	878	
Obligations, end of year.....	89	89	89	
Obligated balance, end of year.....	-83	-89	-89	
Adjustments in expired accounts.....				
Outlays.....	842	821	871	

Department of Justice
United States Marshall Service
Estimates for Fiscal Year 1957
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Insured: ANK **Date:** 8-16-90



Insured: ANK **Date:** 8-16-90

**United States Marshal Service
Salaries and Expenses
Summary Statement
Fiscal Year 1997**

For 1997, the United States Marshals Service (USMS) requests a total of 4,209 permanent positions, 4,087 workyears and \$489,562,000. This request represents a net increase of 386 positions, 416 workyears and \$66,314,000 over the 1996 appropriation anticipated and a net increase of 260 positions, 290 workyears and \$43,540,000 over the 1997 base.

The Marshals Service is facing the most challenging time in its history. The workload has been changing dramatically due to the cases being prosecuted in the Federal court system today. The cases are more complex, involving multiple defendants and more dangerous criminals. The World Trade Center bombing trial is an example of the type of case that is becoming more common in the Federal courts. The Marshals Service is deeply involved in the Oklahoma City bombing trial, both in the protection of the judicial family in Oklahoma City and now in Denver, while at the same time protecting the defendants and their rights. At the same time, the aircraft operations of the Immigration and Naturalization Service has merged with USMS air operations, establishing the Justice Prisoner and Alien Transportation System (JPATS). As the prosecution of illegal aliens increases through such efforts as Operation Gatekeeper in the Southwest border states, we are facing detention space shortages in areas such as Southern California and Arizona. During FY 1995 the USMS averaged 19,000 prisoners a month, we are currently experiencing 23,000 per month on average for FY 1996.

The most significant portion of the request is for 132 positions, 76 workyears and \$13,715,000, to provide the personnel and equipment necessary to ensure that new and renovated Federal courthouses can open on schedule. The Marshals Service's primary mission is to protect the Federal Judiciary and court proceedings, and is dependent upon the timely coordination and implementation of the established safety and security requirements for the construction of detention, prisoner movement and related high security areas. Another significant increase requested is for 50 positions, 25 workyears and \$6,130,000, for the Southwest border initiative. These personnel are required to handle the security and detention workload generated by the increased prosecutions of illegal aliens along the Southwest border. Additionally, the USMS is requesting an increase of 50 positions (30 DUEMS and 20 Detention Officers), 35 workyears and \$4,700,000, for the D.C. Superior Court. The Deputies are requested to improve judicial security by allowing for at least two Deputies in each courtroom for every judicial proceeding involving prisoners. The Detention Officers are requested to improve prisoner security and handling efficiency by staffing the courtroom holding cells.

The Marshals Service is mandated to perform a broad scope of law enforcement missions in support of the activities of both the Executive and Judicial branches of the government. As provided in the Marshals Service Act of 1989, "It is the primary role and mission of the U.S. Marshals Service to provide for the security and to obey, execute, and enforce all

orders of the United States District Courts, the United States Courts of Appeals and the Court of International Trade." The Service's workload demands are levied by the Federal courts, other Department of Justice components, and other Federal law enforcement agencies.

This submission is designed to assure a balance between program and fiscal requirements. The requested program increases are necessary to fulfill ongoing, essential requirements. The operational program requests are firmly rooted in legislative or regulatory mandates that must be observed. The support program requests are necessary for the operational mission and to achieve the economies of scale necessary to reduce overall expenses. The tools that Deputies use: guns, radios and vehicles, must be properly maintained, and the Deputies must continue to meet established standards in order to continue to use them. Failure to do so could result in significant loss of life.

The resources contained in this submission are necessary to allow the Marshals Service to continue to meet its core mission responsibilities, i.e., to protect judges and witnesses, transport prisoners, capture fugitives, seize assets, serve process, execute Federal court orders, and deal with natural disasters or civil disturbances.

United States Marshall Service
Salaries and Expenses
Justification of Proposed Changes in Appropriation Language

Salaries and expenses, United States Marshall Service

For necessary expenses of the United States Marshall Service including the acquisition, lease, maintenance, and operation of vehicles and aircraft, and the purchase of passenger motor vehicles for police-type use without regard to the general purchase price limitation for current fiscal year. \$189,562,000, of which not to exceed \$10,000 shall be available for official recreation and representation expenses; and of which not to exceed \$189,000,000 for extraordinary security requirements. (2184,000,000 for development, implementation, maintenance and support, and training for an automated prisoner information system and 3182,200,000 to support the Justice Prisoner and Alien Transportation System shall remain available until expended. Provided, That, with respect to the amounts appropriated above, the service of maintaining and transporting state local or territorial prisoners shall be considered a specialized or technical service for purposes of 21 U.S.C. 6505 and any prisoners so transported shall be considered persons transported for other than commercial purposes) whose presence is associated with the performance of a governmental function for purposes of 49 U.S.C. 40102. (118 U.S.C. 1563, 1059, 3192, 3221-3228, 4008, 19 U.S.C. 1613.)

21 U.S.C. 8811-28 U.S.C. 5101-524, 561-562, 565, 567, 569-572, 1921, 48 U.S.C. 1424(b), 1614(c), 1624(b)(3).]

Note -- A regular 1996 appropriation for this account had not been enacted at the time this budget was prepared. The amounts included in this budget are based on the levels provided in three continuing resolutions: P.L. 104-91, P.L. 104-92, and P.L. 104-99.

United States Marshals Service
Salaries and Expenses
Crosswalk of 1998 Changes
(Dollars in Thousands)

Activity/Program	1998 President's Budget Request		Technical* Adjustment		Reprogramming		Congressional Appropriations Actions on 1998 Request		1998 Appropriation Anticipated	
	Pos.	WY Amount	Pos.	WY Amount	Pos.	WY Amount	Pos.	WY Amount	Pos.	WY Amount
1. Protection of the Judicial Process.....	2,063	2,121	150	\$238,957	...	...	(126)	(79)	2,042	\$238,957
2. National Prisoner Transportation.....	180	173	...	39,625	...	...	...	...	180	39,625
3. Fugitive Apprehension.....	586	581	...	57,176	...	...	...	...	586	57,176
4. Seized Asset Management.....	418	404	...	27,817	...	...	...	...	418	27,817
5. D.C. Court.....	156	146	...	12,833	...	...	...	...	156	12,833
6. Service of Legal Process.....	183	189	...	17,604	...	...	...	...	183	17,604
7. Training.....	27	24	...	5,732	...	...	...	...	27	5,732
8. ADP/Telecommunications.....	27	21	...	20,365	...	...	...	...	27	20,365
9. Management and Administration.....	159	91	...	27,046	...	...	...	...	159	27,046
Total.....	3,799	3,750	150	446,887	...	...	(126)	(79)	3,673	446,887

Congressional Appropriation Actions on 1998 Request. Requested Programmatic Increases of \$15,138 were denied. Also reflected is a transfer of 126 positions, 79 workyears, and \$8,600 to fund positions associated with staffing requirements at new and renovated courthouses, authorized within the Violent Crime Reduction Program.

*Streamlining reduction of 150 positions is requested. The original streamlining reduction decreased both positions and workyears. However, the originally stated positions were intermittent Deputy U.S. Marshals and are not counted against the full-time permanent ceiling.

**United States Marshall Service
Salaries and Expenses
Summary of Requirements
(Dollars in Thousands)**

Adjustments to Base	FY	WT	Amount
1985 include	3,864	3,770	\$385,088
1986 Conference Allowance	3,873	3,871	413,348
Oldframe Cof/Commission Awardment			19,000
Technical Awardment	180		
1986 Appropriation Anticipated	3,823	3,871	423,348
Transfer:			
From 1985 for JPA13	43	43	14,300
1986 Appropriation Base	128	79	8,800
1986 Base from VCMF	(49)	(49)	
Shrinking			
Increases		47	14,111
Decreases:			
Nonrecurring Commission Awardment			(14,000)
Nonrecurring costs for Contributions			(82)
1987 Base:	3,948	3,797	448,022
Program changes (included below)	280	280	43,640
1987 estimate	4,228	4,077	491,662

	1986 Appropriation Anticipated		1987 Base		1987 Estimate		Increase/Decrease	
	FY	WT	FY	WT	FY	WT	FY	WT
Estimates by budget activity								
1. President of the Judicial Process	2,087	2,042	2,188	2,153	2,388	2,348	180	215
2. National Prisoner Transportation	140	179	20,796	215	20,796	215		246
3. Federal Prisoner Transportation	448	491	57,176	577	57,176	577		246
4. Federal Prisoner Transportation	140	179	20,796	215	20,796	215		246
5. D.C. Prisoner Transport	140	179	20,796	215	20,796	215		246
6. Services of Legal Process	140	179	20,796	215	20,796	215		246
7. Training	27	24	4,002	24	4,002	24		0
8. ADP/Communications	140	179	20,796	215	20,796	215		246
9. Management & Administration	140	179	20,796	215	20,796	215		246
Total	3,823	3,871	4,228	4,077	4,228	4,077	405	380

United States Marshall Service
Salaries and Expenses
Summary of Resources by Program
(Dollars in Thousands)

Estimates by Program	1995 as Enacted			1995 Actual			1996 Appropriation Anticipated			1997 Base			1997 Estimate			Increase / Decrease		
	Perm	WY	Amount	Perm	WY	Amount	Perm	WY	Amount	Perm	WY	Amount	Perm	WY	Amount	Perm	WY	Amount
Protection of Judicial Process.....	2,082	2,059	\$208,659	2,082	2,044	\$213,844	2,087	2,042	\$225,238	2,198	2,153	\$231,277	2,398	2,398	\$254,265	190	215	\$22,999
National Prisoner Transportation.....	150	178	38,308	159	162	\$37,860	160	173	38,785	202	215	51,087	202	225	51,315	0	10	248
Fugitive Apprehension.....	595	598	54,827	595	573	\$59,413	598	581	57,178	592	577	59,162	662	607	59,904	0	30	742
Seized Assets Management.....	418	382	23,897	418	301	\$17,917	418	404	27,817	415	401	28,908	415	401	32,439	...	0	3,600
D. C. Superior Court.....	158	150	12,193	158	147	\$11,173	158	148	12,833	156	146	13,340	208	171	18,040	50	25	4,700
Service of Legal Process.....	184	184	16,832	184	190	\$15,864	183	186	17,804	182	188	18,223	182	188	18,223	0	0	0
Training.....	27	24	4,228	27	24	\$3,534	27	24	4,432	27	24	4,584	27	24	4,584	...	0	0
ADP/Telecommunications.....	28	21	19,862	28	21	\$18,878	27	21	20,395	27	21	20,798	47	31	28,089	20	10	7,381
Management & Administration.....	203	101	17,801	203	111	\$18,653	169	81	17,978	150	72	19,692	150	72	22,692	0	0	4,000
Total.....	3,834	3,707	399,898	3,854	3,793	395,098 *	3,823	3,871	423,248	3,849	3,797	448,923	4,308	4,087	499,882	290	290	43,540
Reimbursable workyears.....	53			52			71			71			71			...	...	...
Total workyears.....	3,779			3,790			3,742			3,868			4,158			290		290
Other Workyears:																		
LEAP.....	440			440			528			528			544			16		16
Overtime.....	113			113			104			104			104			0		0
Total compensable workyears.....	4,333			4,313			4,372			4,498			4,806			308		308

*This data does not match information in the MAX system. This is updated information.

**United States Marshall Service
Reimbursable Resources
Summary of Requirements
(Dollars in Thousands)**

United States Marshall Service
Reimbursable Resources
Summary of Requirements
(Dollars in Thousands)

	1995 Actual		1996 Estimate		1997 Request		Increase/Decrease	
	Pos.	WY	Pos.	WY	Pos.	WY	Pos.	WY
Objections by Program:								
Protection of Judicial Process.....	26	25	34	34	34	34	...	...
National Prisoner Transportation.....	5	5	5	5	5	5	...	...
Fugitive Apprehension.....	17	17	17	17	17	17	...	...
Seized Assets Management.....	...	...	...	...	...	...	...	...
Service of Legal Process.....	10	7	10	10	10	10	...	...
Training.....	...	...	...	...	...	...	...	...
ADP/Recommunications.....	5	...	...	...	...	...	...	...
Management & Administration.....	63	57	71	71	71	71	...	...
Total.....								

*This data does not match information in the MAX system. This information has been updated to reflect the latest available information.

United States Marshals Service
Salaries and Expenses
Program Performance Information
Activity Resource Summary
(Dollars in Thousands)

PROTECTION OF THE JUDICIAL PROCESS

1996 Appropriation Anticipated
1997 Base
1997 Estimate
Increase/Decrease

Perm	FTE	Amount
FOA		
2,087	2,042	\$225,238
2,198	2,153	231,277
2,388	2,368	254,266
190	215	22,989

BASE PROGRAM DESCRIPTION: The Judicial Security program maintains the integrity of the judicial process by ensuring that each Federal judicial facility is secure, and that all Federal judges, magistrate judges, prosecutors, and participants can conduct proceedings in an open and safe environment. This program includes five elements described below:

The technical assistance element provides highly trained judicial security specialists to assist U.S. Marshals, judges, and other members of the judicial family in evaluating security risks and planning and implementing responses.

The Court Security element uses personnel and proven systems and procedures to ensure the integrity of the judicial process. Appropriate security measures include screening courtroom participants, packages, and spectators with x-ray equipment and metal detectors outside Federal courtrooms; isolating the criminal defendants from the public; and ensuring that an appropriate number of Deputy U.S. Marshals (DUSM) are assigned to the courtroom to preclude or minimize any disruption that could reasonably be anticipated.

The Threat Analysis Division provides information concerning threats to judicial family members, Marshals Service personnel, and to those who are under the protection of the Marshals Service. This includes a centralized Threat Analysis Group that supports operations involving judicial security, high-threat trials, witness security, and enforcement operations (especially the execution of warrants involving violence-prone groups), by preventing acts of violence and intimidation and providing intelligence information for those members of the judicial family under threat.

The Prisoner Security program guarantees the custody, protection and safety of prisoners brought to court for any type of judicial proceeding. In addition, the USMS is responsible for transporting detainees in the custody of the USMS to and from court proceedings, medical appointments, or other court-ordered appearances, e.g., meetings with attorneys.

The core mission of the USMS is to provide judicial security. The USMS ensures that each of approximately 750 judicial facilities is secure, and that all Federal judges, magistrates judges, bankruptcy judges, prosecutors, and participants can conduct proceedings in an open and safe environment. The USMS maintains this security by evaluating new and changing requirements, and providing technical assistance to the Federal Judiciary on security procedures, and using state-of-the-art security equipment.

Most new and renovated courthouses will require additional personnel and equipment to ensure a secure court environment. Equipment and systems costs for USMS spaces within court facilities that are paid out of the S&E appropriation include, but are not limited to, the purchase and installation of electronic security systems, phone systems, radios, and office equipment and furniture. Estimates of these costs are based on an evaluation of the specific requirements of the new USMS space. The courthouse facility requirements for security systems and equipment are in accordance with the USMS Requirements and Specifications for Special Purpose and Support Space Manual (May 1991), the U.S. Courts Design Guide (published by the Administrative Office of U.S. Courts) and in the Standard Level Features and Finishes for U.S. Court Facilities (published by General Services Administration (GSA)). Additionally, the security standards for construction projects are consistent with the requirements set forth in the June 1995 Vulnerability Assessment of Federal Facilities Report.

For many years, the USMS was in a position of playing "catch up" with regard to courthouse security for both physical and staffing requirements. The agency had not been included in courthouse planning and often had to redesign facility plans after they had been completed. However, in FY 1995, the Deputy Attorney General reactivated a working group of the General Services Administration (GSA), the Administrative Office of the U.S. Courts (AOUSC), and the Department of Justice (DOJ) to coordinate planning for future courthouse construction. This committee is bringing the Department into the process earlier, in the planning stages, allowing it to have greater input on security-related issues and concerns. Such active participation will greatly enhance the USMS's ability to plan more effectively for the future.

While the cases generated by other Departmental components have a significant effect on the workload of the USMS, the workload generated by the Judiciary is most profound. The filling of Federal judge and magistrate vacancies, and the increase in the number of Federal court locations, result in more proceedings at which prisoners will need to be produced and guarded, thereby increasing USMS workload in the areas of prisoner transportation and security.

Because judges have the statutory authority to require the presence of a Deputy to provide security at any proceeding regardless of whether other Deputies are already present to guard prisoners, an increase in the number of judges often increases USMS workload in the courtroom screening area. The number of threats against judges is also likely to increase, as more judges are on the bench, requiring USMS to staff more personal protection assignments.

New and renovated courthouses also increase the funding requirements of the Judiciary's Court Security appropriation. This appropriation, which is managed by the USMS, funds the costs of magnetometers and x-ray machines that provide entrance security at courthouses and Court Security Officers who operate those machines and provides other forms of security within a courthouse.

The Witness Security Division (WITSEC) relocates principal witnesses and family members who have entered the Witness Security Program based on the recommendations of U.S. Attorneys and/or the approval of the Criminal Division. These witnesses are provided with around-the-clock protection while they are in threat environments and during their return to danger areas for pre-trial conferences, trial, or other court appearances.

NATIONAL PRISONER TRANSPORTATION

1996 Appropriation Anticipated
1997 Base
1997 Estimate
Increase/Decrease

Perp	FTE	Amount
160	173	\$39,785
202	215	51,067
202	225	51,315
...	10	248

BASE PROGRAM DESCRIPTION: This program supports the Federal judicial system through the timely transportation and movement of Federal prisoners via the Justice Prisoner and Alien Transportation System (JPATS). Individuals arrested or detained for violation of Federal statutes are remanded to the custody of the Marshals Service. Sentenced Federal prisoners are transported to Federal institutions for service of sentence.

This program includes the entire transportation system for the USMS -- air and ground resources -- and in-district staff who are responsible for transporting prisoners by ground and meeting the airlift. This program also includes the prisoner transportation scheduling office located in Kansas City and the Air Operations Division located in Oklahoma City. Finally, as part of the FY 1997 base program 34 positions, 34 FTE and \$5,800,000 in resources now included in the Immigration and Naturalization Service (INS) budget for the alien transportation (aviation program) will be transferred into this program. Also in FY 1997, the spending costs associated with the third 727, currently estimated as 9

positions, 9 FTE and \$4,500,000 will be transferred from the INS. In FY 1996, aviation activities which USMS performs for INS or vice versa, will be supported by reimbursable agreements entered into by both components.

JPATs is now one of the most valuable resources available to the law enforcement community. It transports large numbers of dangerous prisoners safely and within court-ordered deadlines, and it does so at a fraction of the commercial air cost. The 1993 cost per-prisoner-moved via the USMS airlift was \$245, approximately one-third the commercial air cost of \$807. JPATS also plays a significant role in the war on drugs by providing air support for extradition of major drug crime figures to the United States, and is also called upon to support mission operations associated with civil unrest (the Los Angeles riots) and natural disasters (Hurricane Andrew or Marilyn). JPATS also serves the Bureau of Prisons, Immigration and Naturalization Service, State and local governments, and the U.S. Military (Army, Air Force and Navy) through the secure movement prisoners.

Justice Prisoner and Alien Transportation System (JPATS)

In FY 1994, the Justice Management Division (JMD) was charged by the Attorney General (AG) with reviewing the aviation programs of the Department and identifying opportunities for streamlining and consolidation. In the JMD response to the AG, JMD staff recommended that the NPTS and the Alien Transportation System (ATS) managed by the Immigration and Naturalization Service (INS) be consolidated into one Departmental transportation system, the Justice Prisoner and Alien Transportation System (JPATS). On August 15, 1994, the Deputy Attorney General approved the consolidation to be effective October 1, 1996 and to be carried out under the auspices of the Aviation Policy and Working Group (APWG).

The APWG held its initial meeting in October 1994. The APWG has been actively working to guide the merger of the two transportation systems as well as identify resources, including aircraft, personnel, hangar facilities, training resources, and maintenance contracts, which can be shared not only by the USMS and INS aviation programs but by the other aviation components as well. The completion of this merger will occur in FY 1997 with the base transfer of resources from INS to the Marshals Service. Throughout most of FY 1995, the USMS and INS have worked jointly to plan for the merger and, also, have worked with the Federal Bureau of Investigation (FBI), which has provided air transportation for criminal aliens and regular NPTS prisoners. Through the third quarter FY 1995, the number of INS passengers (criminal and noncriminal aliens) flown by air has increased by over 200% over the same period of FY 1994. For FY 1995 and FY 1996, INS removal goals are set at 55,000 and 60,000 respectively. Twenty-five percent (25%) are scheduled to be transported by air, a huge increase over previous transportation accomplishments. The acquisition of a third 727, already in process, will assist in attaining these goals. As the merger continues, and INS District staff becomes increasingly satisfied with the program effectiveness and cost efficiencies which result from air versus ground transportation, it is likely that demands for additional air transportation will continue to escalate.

In addition to assisting the USMS/INS merger, the APMG has provided a forum for many other benefits to the aviation community of the Department as a whole. First, the aviation components were able to review the composition of each others' fleets and have actually transferred underutilized aircraft to other components with greater needs for the respective aircraft. For example, the USMS began FY 1995 with 14 aircraft but exceeded 6 aircraft (including two Cessnas to the Border Patrol, one Cessna to the Drug Enforcement Administration (DEA), and one Learjet to INS's Air Transport Branch) and acquired one Piper Cheyenne from DEA. This left the USMS with a beginning FY 1996 inventory of 9 planes and an inventory better suited to USMS missions. Similarly, INS was able to excess three aircraft and acquire one with the same qualitative results.

Again, under the auspices of the APMG, the USMS and INS have both benefitted from working capital fund and asset forfeiture fund resources which have been used to enhance both components' fleets. It is anticipated that in FY 1996 and beyond, continued efforts will be made to upgrade (although not necessarily expand) the JPAS fleet. While the third 727 will be added in FY 1996 thereby greatly enhancing large aircraft capacity, future efforts must be targeted toward replacing aging, labor-intensive small and mid-sized aircraft such as the Sabreliners and Convair 580. Future Departmental aircraft acquisition will emphasize these needs.

FUGITIVE APPREHENSION

1996 Appropriation Anticipated
1997 Base
1997 Estimate
Increase/Decrease

Perm.	FTE	Amount
Pos.	581	\$57,178
596	577	59,162
592	607	52,904
522	30	742
...		

BASE PROGRAM DESCRIPTION: The Marshals Service acts as the "sheriff" in the Federal criminal justice system and is the only Federal agency primarily responsible for the apprehension of fugitives from justice, i.e., escapees, bail jumpers, parole and probation violators, and others. The Marshals Service uses various methods to reach beyond the boundaries of the U.S. in the apprehension of fugitive felons and is a member of International Police (INTERPOL) with representatives in France and at the National Central Bureau in Washington, D.C. The Service supplements INTERPOL international law enforcement support by maintaining close working relationships with foreign country law enforcement officials and with Drug Enforcement Administration and Federal Bureau of Investigation officials in various foreign locations.

The Service continuously improves on methods to apprehend fugitives most effectively by specially coordinating task forces, bringing together the special talents of certain investigators for intense cases, improving on electronic

surveillance techniques, applying special analytical methods, and upgrading the use of automated information systems.

SEIZED ASSETS MANAGEMENT

1996 Appropriation Anticipated
1997 Base
1997 Estimate
Increase/Decrease

Perm. Fol.	FY8	Amount
418	404	\$27,817
415	401	28,939
413	401	32,432
...	...	3,500

BASE PROGRAM DESCRIPTION: Asset seizure and forfeiture is one of the most potent weapons in the Department's law enforcement program, especially when it is targeted at large criminal organizations such as illegal drug enterprises. The USMS is the Department of Justice component responsible for executing court orders, managing seized assets during the pendency of the forfeiture action, disposing of these assets in a commercially sound manner, and administering the collection of deposits to the Assets Forfeiture Fund. Beyond the efforts required to secure, inventory, appraise, store, and manage properties, the USMS participates in extensive pre-seizure planning with investigative and prosecutive agents, and the courts.

The types of activities that need to be performed by the Marshals Service in this program on a daily basis are more analogous to those performed by a Fortune 500 company than a Federal law enforcement agency. However, since asset seizure and forfeiture is a law enforcement tool, attention to the 'bottom-line' is often secondary to the primary law enforcement objective, removing the instruments of the crime (e.g., crack house, conveyances used to smuggle illegal aliens, weapons, etc.) from the wrong-doer.

The majority of resources are expended in the seizure, management, and disposal of personal property, real property and businesses. These asset categories represent 70 percent of the Marshals Service's inventory in terms of numbers. Among the major responsibilities of the Marshals Service is the need to ensure that those assets in our custody are adequately safeguarded in a manner that is commensurate with their value, and that the value of those assets is not unduly diminished while awaiting final disposition. The ability of the government to demonstrate asset forfeiture as a powerful law enforcement weapon, while maintaining the trust of the general public, will depend to a large degree on how the Marshals Service executes its responsibilities.

The following are descriptive of seizures performed by the USMS Seized Asset Management Division:

Real property seizures pose the greatest challenge to this program. Real property is costly to manage, and disposal requires detailed technical knowledge. However, if properly handled, real property can yield significant returns in terms of income to the government. Real property seizures involve a number of considerations which have complicated the management and disposal of a wide range of residential and commercial properties, including: environmental contamination; local and national property-use directives such as historic preservation requirements; title insurance requirements; occupancy and eviction issues; problems related to securing and maintaining a crack house; as well as arson and hidden traps set by criminal property owners.

Seized businesses, which account for only a small fraction of total seizures, can be very complex. Workload management at the district level entails acquiring a business audit, valuation, and appraisal; determining whether to continue operation or close the business; developing an operating plan; acquiring technical experts to provide business management services; and developing of disposal alternatives. In addition, the degree of oversight necessary to properly preserve and manage seized businesses makes them the most vulnerable in the inventory. Personnel charged with oversight of seized businesses must manage technical experts in all areas of business management, including corporate charters, tax issues, partnership issues, and management of the particular type of business itself.

Personal property which includes conveyances, jewelry, weapons, electronic equipment, animals, and collectibles represents 62 percent of the inventory in terms of number, but only 11 percent of the value (\$161 million). Though the overall value of this category of assets is comparatively low, the volume mandates that a significant portion of resources be utilized to handle the chain-of-custody requirements to seize, manage, and dispose of these assets. Workload management at the district includes such tasks as inventory control, case file preparation, procurement responsibilities, contract administration, preparation for sale, and accounting for sale proceeds. While these functions in and of themselves are typically not complex in nature, they are extremely time consuming.

Currency represents one-fourth of all seizures in terms of number, and half of all seizures in terms of value. Currency forfeitures account for almost three times as much income to the Assets Forfeiture Fund as proceeds from forfeiture sales. During 1994, the Marshals initiated over 7,989 cash seizures, while closing another 9,106 cash cases. Thus, the proper accounting for and expeditious disposal of forfeited currency are major priorities for U.S. Marshals. As with personal property, the amount of administrative record keeping and paperwork involved in ensuring a solid chain-of-custody from the seizing agency to the Marshals Service has stretched many of our Districts' capabilities to the maximum.

Equitable sharing transfers to State and local law enforcement agencies, which require processing by Marshals Service personnel, represent a significant workload for USMS district offices. The Service anticipates executing approximately 20,100 sharing decisions in 1996. While decisions on asset sharing are made by the investigative agency or the U.S. Attorney's office, the Marshals Service is responsible for liquidating assets and disbursing the proceeds. The Marshals Service is committed to executing the disbursements of forfeited cash and sale proceeds quickly. Also, the Service continually responds to inquiries regarding the status of cases from anxious recipient agencies, and provides statistics regarding the sharing program for State legislative offices, local law enforcement agencies, the media, and Congressional Offices.

D.C. SUPERIOR COURT

1996 Appropriation Anticipated
1997 Base
1997 Estimate
Increase/Decrease

Perm.	FTS	Amount
Pos.	146	\$12,833
	156	13,340
	206	18,640
	50	4,700

BASE PROGRAM DESCRIPTION: The Office of the U.S. Marshal for the Superior Court in the District of Columbia performs functions which are local in nature and are typically performed by a sheriff or similar local official. The Marshals Service supports the Superior Court with activities that are outside Federal jurisdiction in other Districts. These include such matters as serving warrants for nonpayment of child support and conducting court-ordered evictions. At the same time, though, this office performs services as all the other Marshals Service District offices, including protecting the judiciary, prisoner transportation and detention, tracking fugitives and service of process.

The D.C. Superior Court and Court of Appeals have 104 judicial officers consisting of 69 judges, 15 commissioners (magistrates), and 20 judges-in-senior status occupying 84 courtrooms and hearing rooms, located in four separate buildings. This court operates six days a week, including all holidays, and handles a wide variety of judicial cases including: Criminal Felonies, Accelerated Felonies, Traffic Felonies, and U.S. Misdemeanors involving injury; Civil (including major actions above \$2,000); Family (including Domestic Relations, contested divorces, contested custody, etc., Domestic Relations Trials, and Family Trials); Commissioners (mental health hearings, small claims, U.S. Misdemeanors not involving injury, D.C. traffic, preliminary hearings, arraignments, and family hearings); and Special Matters (Chief Judge criminal cases, and tenant disputes).

Courtroom Security: Marshals Service Policy dictates that there should be one more Deputy than defendants in each criminal judicial proceeding. For example, two deputies are needed for one defendant and three Deputies are needed for two defendants. Agency standards cannot be maintained in D.C. Superior Court because only one Deputy (unarmed for security reasons) is available for each courtroom during criminal proceedings. Basically, there are not enough Deputies in this District. Of the 84 Deputies currently on board, 40 are assigned to judicial security and prisoner production, 10 are assigned to execute warrants, 16 are assigned to writs execution, 10 are assigned to prisoner coordination, and the remaining 8 are in training, on leave, or working special assignments. With a daily staffing requirement of over 40 criminal courts and productions of between 250 and 500 prisoners, it is impossible to assign two Deputies per courtroom when only 40 Deputies are available for judicial security. In addition, new responsibilities have been assigned to the District in the past without corresponding increases in resources, such as prisoner security responsibilities for the Grand Jury of D.C. Superior Court and a new juvenile celblock. The Service assumed total responsibility for handling prisoners and witnesses for the Grand Jury of D.C. Superior Court in 1992. These offices are located three blocks from the courthouse in the U.S. Attorney's Office and require an average of five Deputies per day. Four prisoner transports are also required each day to produce the prisoners, with no additional personnel provided to staff this responsibility. There are several felony One courts (what would be capital cases only in other jurisdictions). The Deputy assigned to one of these may handle the average of seven prisoners at a time. All of whom may be charged with at least one count of first degree murder. During FY 1994, over 92,000 prisoners were produced in D.C. Superior Court.

Currently, the one unarmed Deputy assigned to the courtroom is required to produce and monitor the prisoner presented before the court, provide judicial security for both the judge and the physical courtroom and monitor up to a dozen or more prisoners in the holding cells behind the courtroom. If an incident were to occur, the Deputy would have to delay his aid to the Judge and return the prisoner to a holding cell, or risk an escape attempt by immediately aiding the Judge. The same would apply to disturbances occurring in the holding cell and adjacent courtrooms. There are many potential problems and liabilities associated with such situations. Here have been many incidents this year in holding cells behind courtrooms involving both juveniles and adults which could have been prevented if there had been another unarmed Deputy to handle prisoners.

Because of the Deputy shortage and the number of multi-defendant trials, this District must employ approximately 25 guards daily to get the job done. This shadow workforce cannot provide the same level of security as a highly trained, skilled Deputy workforce. These personnel are, for the most part, retired law enforcement officers who do not possess the training and physical skills to deal with prisoners in emergency situations, should they arise. To further justify the need for additional operational personnel, in 1991 a security survey conducted by the Court Security Division and the Information Resources Management Division of the Marshals Service identified an 80 position discrepancy between what was allocated to the District and what was required to perform the duties of the District.

In addition to providing judicial security, Deputies are committed daily to: executing warrants of removal, apprehending fugitives and executing arrest warrants. The District also moves prisoners on MPTs trips, executes between 40 to 60 evictions daily, participates in a Fugitive Task Force, supports national objectives through the Office of Special Services, and assists local WITSEC activities on a daily basis. Furthermore, District personnel are unavailable when attending and conducting training, on leave, and when they are subject to other required commitments such as taking physicals and testifying. When this District experiences a shortage of Deputies for judicial security, it is forced to strip other areas (warrants, prisoner coordination and evictions) of personnel to obtain the required Deputies to staff the courts with the one unarmed Deputy. The Superior Court Enforcement Section is currently responsible for approximately 3,029 outstanding felony warrants. This District is also responsible for over 13,100 criminal misdemeanor, traffic, and Family Division bench warrants. If this District continues to pull Deputies from enforcement operations, the backlog of warrants will continue to grow.

Prisoner Security and Handling: Behind each courtroom there are holding cells for prisoners. Currently, the U.S. Marshals office does not have enough resources to guard prisoners in the holding cells. The prisoners are locked in the holding cells, unmonitored, until they are called for trial or returned to detention. This lack of resources has led to many serious incidents, such as attempted suicides and assaults. The one unarmed Deputy in the courtroom is responsible for the judge's security, the prisoner's security, and also for maintaining the security in the holding cells. There are 40 courtrooms with one group of holding cells for every two courtrooms.

SERVICE OF LEGAL PROCESS

1996 Appropriation Anticipated

1997 Base
1997 Estimate
Increase/Decrease

Perm.	FTE	Amount
Pos.	183	\$17,604
182	188	18,223
182	188	18,223
...	...	0

BASE PROGRAM DESCRIPTION: Every year the Marshals Service executes hundreds of thousands of summonses, writs, mandates, and other legal process for the Federal courts, U.S. Attorneys, private litigants, Federal agencies, foreign governments, and others. Service of Legal Process includes summons and complaints in civil actions, subpoenas in both civil and criminal actions, writs of habeas corpus, and enforcement of major injunctions. This program is responsible for providing law enforcement assistance for nuclear weapons movements through reimbursable agreements with the Joint Cruise Missile Project Office of the Department of Defense and the U.S. Air Force. Additionally, Service of Legal Process provides specific assistance to State and local law enforcement agencies.

The Anti-Drug Abuse Act of 1988 amended 28 U.S.C. 1921 and provided for the collection of fees and commissions for the personal service of non-Government civil process by DUSMs. The amended statute (Sec. 7608(c), P.L. 100-690) permits the Attorney General to set fees and commissions. Regulations establishing new fees and commissions for the service of process became effective in February 1991. As a result, the Marshals Service has collected receipts in this program amounting to \$1.4 million in 1990, \$2.4 million in 1991, \$3.6 million in 1992, and \$3.1 million in 1993.

For non-warrant court orders, 70 percent are served in person, 20 percent served by mail and 10 percent are returned to the court unexecuted. What at first may appear to be routine work (e.g., summonses and complaints filed in debt collection cases) frequently requires significant investigation by the Deputy U.S. Marshals as they try to locate the individuals attempting to avoid service of process. The quantity and complexity of the Marshals Service's workload are determined, in large part, by decisions made by the U.S. Attorneys, investigative agencies, and the courts.

The Marshals Service recognizes the importance of tracking the service of process and is developing a component in the Seized Assets Management System in an effort to collect more meaningful information. While service of process remains an important fundamental function of the Marshals Service, the establishment of policies, the monitoring of those policies to ensure compliance, and the analysis of data to measure the effect of policy in order to make service of process a more efficient function have been limited due to insufficient resources, both automated and human.

The assistance the Marshals Service provides to the Federal Courts through the execution of court orders is practical and fundamental. U.S. Marshals have performed the service of legal process function reliably for more than 200 years. By delivering court documents correctly and assuring that the conditions within them are successfully met, the Service ensures that the Federal Justice system is able to continue to operate smoothly and efficiently.

TRAINING

1996 Appropriation Anticipated
1997 Base
1997 Estimate
Increase/Decrease

Perm.	ETE	Amount
Pos.	24	\$4,432
27	24	4,584
27	24	4,584
...	...	0

BASE PROGRAM DESCRIPTION: This program provides and oversees the training of all U.S. Marshals Service personnel. Consistent with prior years, the Training Academy's first training priority is to provide the highest quality of

instruction for new Deputy Marshals. During 1994, the Academy conducted two Basic Deputy classes, graduating 70 recruits from the 14 week program. This 14 week program includes an 8 week Criminal Investigator Training Course at the Federal Law Enforcement Training Center (FLETC) and a 5-1/2 week course devoted entirely to the duties of a Deputy U.S. Marshal including course work on Court Security, Protective Service, Enforcement, Prisoner Handling and Process. Overall, in 1994, the Academy conducted 45 separate courses and conferences for 1,301 agency and 364 state and local law enforcement personnel. The Academy also provided new specialized training in a number of the following areas:

1. Recurrent Deputy Training: The Training Academy continued to provide operational personnel, who had a minimum of three years of field experience with a two-week advanced training course in firearms skills, personal protection, stress control, officer survival and EEO. A total of 450 Deputy U.S. Marshals have attended this training.
2. U.S. Marshals Orientation: A one-week orientation was provided to introduce new U.S. Marshals to the operational and administrative components of the Marshals Service.
3. Small Purchases Training: Through an innovative training approach, a representative from the General Services Administration (GSA) was contracted to instruct a Small Purchases Training course to district and Headquarter's division purchasing agents. During the three-day course, the GSA representative covered topics such as procedures for Government purchasing of goods or services valued at up to \$25,000, regulations governing small-purchase procurements, and special considerations for businesses.
4. Regional State and Local Court Security Seminar: In coordination with the Federal Law Enforcement Training Center's Office of State and Local Training, the Training Academy provided instruction on courtroom security to local law enforcement personnel in four regional training areas.

Training remains an essential ingredient in the quality of a law enforcement agency, and the Marshals Service has developed the most effective, comprehensive, state-of-the-art training program in its long history. A combination of high-tech equipment, dedicated instructors, and priority attention to the training mission makes Marshals Service personnel among the best trained law enforcement officers.

ADP AND TELECOMMUNICATIONS

1996 Appropriation Anticipated
1997 Base
1997 Estimate
Increase/Decrease

Perm.	PTS	Amount
Pos.	21	\$20,385
27	21	20,728
47	21	18,032
20	10	7,361

BASE PROGRAM DESCRIPTION: The Marshals Service telecommunications systems provide rapid data and voice communications via local area networks, modems, telephones, facsimile transceivers, visual display terminal systems, and radio systems to support all Marshals Service missions. The Information Technology Program provides USMS users with a variety of computing resources to support both administrative and operational missions.

The foundation of the Information Technology program is the installation and operation of the Marshals Automated Resources Supporting Headquarters and Local Systems (MARSHALS) Network. The MARSHALS Network provides USMS users access to local and remote applications, and enables them to reach central sites and national databases. District Office Local Area Networks (LANs) are interconnected to form a Wide Area Network (WAN), using FTS 2000 data communications lines.

The applications accessible through the network range from local administrative systems (e.g. electronic mail and word processing software) to major agency-wide systems, such as the Prisoner Tracking Systems (PTS) and Departmental systems such as the FBI's National Crime Information Center (NCIC) and Financial Management Information System (FMIS).

USMS network technology provides better connectivity to a variety of existing, automated information systems at lower costs. The MARSHALS Network provides numerous opportunities for United States Marshals to interoperate (talk to) legal guidance and representation, recruitment, procurement, space management, management studies, financial management, and personnel security.

MANAGEMENT AND ADMINISTRATION

1996 Appropriation Anticipated
1997 Base
1997 Estimate
Increase/Decrease

Perm.	ETE	Amount
169	91	\$17,976
150	72	18,692
150	72	22,692
...	...	4,000

BASE PROGRAM DESCRIPTION: The Marshals Service could not function adequately without its management and support services, all of which directly support the operational mission. This program covers a wide range of activities -- legal guidance and representation, recruitment, procurement, space management, management studies, financial management, and personnel security.

The Financial Management Policy, Analysis and Systems Division is the component of the U.S. Marshals Service, Office of Financial Management, established with the mission of ensuring compliance with the Chief Financial Officer (CFO) Act of 1990 through improved financial management systems, policy and business practices. This component participates in developing financial systems to support planning, programming, budgeting, accounting, workplan management and other financial activities. In the process of systems operations, the office reviews, analyzes, evaluates and certifies system conformance to financial management policies promulgated by OMB, GAO, DOJ, and USMS; and implements and maintains the Financial Management Information System which has become the standard financial management system for all DOJ components.

The Finance Division consists of the Headquarters Operations Branch and District Operational Branch. The Headquarters Operations Branch is responsible for the maintenance and support of all aspects of the Headquarters financial operations. This includes obligation creation and reconciliation, payment of all indebtedness, processing of all temporary duty travel vouchers, control of the Permanent Change of Stations (PCS) reserve which includes processing of all vouchers for relocated employees, control over employee advance accounts, control of the American Express Credit Card Program, and establishment and dissemination of policy for financial and travel matters. The District Operations Branch provides financial guidance and support to the 94 USMS District offices and their sub-offices, as well as headquarters, and monitors the obligations, collections, and disbursement functions to ensure the integrity of financial data recorded within the financial systems. The District financial transactions involve five major appropriations, including the Salaries and Expenses, Assets Forfeiture Fund, Support of U.S. Prisoners, Court Security, and Fees and Expenses of Witnesses. In addition, the District Operations Branch monitors collection and disbursement activities in the Seized Assets Deposit Fund, and the Civil Deposit Fund. Other functions include interpretation of GSA, GAO, DOJ, and U.S. Treasury Department guidelines and disseminating information in the form of written policy and classroom training to the USMS Districts.

The Budget Division is responsible for formulating, justifying and executing the U.S. Marshals Service and Federal Prisoner Detention Program budgets. The Division coordinates the submission of the Court Security appropriation with Administrative Office of the U.S. Courts and coordinates the Protected Witness Component of Fees and Expenses of Witnesses with the Department of Justice. The Division provides budget execution training for Chief Deputies, supervisors and other field personnel. The Budget Division provides financial advice to senior USMS management and USMS District offices on budget issues. The Division serves as the point of contact with OMB, the Department of Justice budget staff and Congressional staffs for budget submissions and issues.

The Employment & Compensation Division provides a full range of personnel service for approximately 3,900 permanent and temporary employees. It consists of three branches: Merit Promotion and Headquarters Staffing Branch; Field Staffing Branch; and the Policy and Pay Branch. These branches are responsible for developing and administering Service-wide

recruitment programs, policies and procedures, directing USMS programs in the areas of position classification, pay, recruitment, staffing, merit promotion, performance management and personnel processing, processing personnel actions and maintaining personnel records, administering the USMS performance awards program, maintaining the DUSM register, administering the Cooperative Education Program, managing the Executive Resources Program, administering leave, time and attendance processes, providing processing services, managing the Worklife Program, developing and maintaining personnel examining instruments, administering the retirements and benefits program and unemployment compensation program, and giving general personnel management advisory services to the U.S. Marshals Service.

The Employee Relations Division is responsible for several major program areas within the Employee and Labor Relations Branch and the Health and Fitness Branch. The Employee and Labor Relations Branch provides advisory services on disciplinary or adverse actions including denial of Within Grades, Unfair Labor Practices (ULP) Charges, and grievances filed under the negotiated and agency grievance procedures. The Health and Fitness Branch manages the Fitness-in-Total Program, the Medical Program, the Fit for Duty Program, the Drug Testing Program, the Safety Program, the Worker's Compensation Program, and the Employee Assistance Program. The Employee Assistance Program assists employees in dealing with virtually all behavioral and personal problems and refers employees to the appropriate form of care. It also encompasses the Critical Incident Response Program which dispatches teams of counselors and Peer Support Team members (USMS employees) to support the U.S. Marshals Service employees and their families in crisis situations.

The Procurement Division is responsible for purchasing all supplies, services, and construction (as authorized by law) as well as providing oversight of District procurement. The actual procurement activity is broken into two categories: Headquarters and District requirements. The Procurement Division is responsible for all headquarters procurements regardless of dollar value. The Districts have been delegated procurement authority up to \$25,000, and the Procurement Division is responsible for all the purchases over \$25,000. Additionally, the Procurement Division is responsible for assisting the Districts with the acquisition of procurement-related training, issuing and maintaining delegations of procurement authority, issuing and maintaining Contracting Officer's Technical Representatives (COTR) certificates, ensuring that all COTRS have received the required training, and performing District reviews.

The Office of Program Compliance is responsible for two major program areas, Policy Review and Equal Employment Opportunity. It consists of two branches, the Affirmative Employment Program Branch and the Complaints Processing Branch. The Affirmative Employment Program Branch is responsible for coordinating the USMS programs and policies that are designed to recruit, develop and retain women, minorities and persons with disabilities. The Office is responsible for the Black Affairs, Federal Women's, Hispanic Employment, Native American, Asian-Pacific Islander and the Disabled Veterans/Selective Placement Programs. It develops and implements agency-wide training programs on cultural diversity, sexual harassment and minority recruiting. The Policy Review Division administers the Management Control Program for the Marshals Service. It reports to the Department of Justice on the status of actions taken or planned to correct

management control weaknesses identified by USMS assessable-unit managers; conducts management control training; and conducts management control reviews of program activities.

The Administrative Services Division manages a total space inventory of 2.8 million square feet at 455 locations, a motor vehicle fleet of 2,100 vehicles, and an inventory of accountable property in excess of 51,052 items valued at \$116.7 million. The Division is working aggressively to correct deficiencies in detention facilities over the next five years in 62 District offices and 148 suboffices. Since 1988, a total of 39 cellblock construction projects have been completed. There are another 210 courthouse construction projects scheduled for completion between 1995 and 2000.

In 1995, a total of 75 STU-III secure modems and 50 new STU-III secure telephone units were installed in various Marshals Service offices. A total of 25 STU-III Type 2 telephones were installed in State and local law enforcement crime labs in support of the FBI's CODIS Finger Printing Program. This division completed 90 telephone projects which include: replacing, upgrading or expanding current systems and installing cabling/lines at a total cost of \$435,361. In addition, 71 locations under Project UNJUST were funded in the amount of \$766,675 for cabling, jacks and patch panels. Over 144 handheld radios and 72 mobile radios were purchased to support new deputy U. S. Marshals graduating from basic deputy training at the cost of \$770,400.

The Division issued 50 bills of lading in the amount of \$441,257 to relocate household goods. The Division disposed of 2,400 items of accountable property with an original acquisition value of \$4.5 million, and processed 180 interagency transfers of accountable property with an original acquisition value of \$800,000.

The Management and Planning Division was established in 1993 to bring higher level management capabilities to the Marshals Service. The Division plans, develops, and supports Service-wide management and productivity improvement policies, plans and procedures. As the catalyst and sponsor for change within the organization, MPD directs the Service's strategic planning process, leads its quality management initiative, coordinates performance improvement and measurement activities, and serves as the pivotal component for management's information resources.

To provide management with the information needed for strategic decisions, the Division has developed a prototype Decision Support System (DSS). This system will provide performance and productivity information to program managers and analysts. The DSS is an example of utilizing the power of technology to foster resource improvements and efficiencies. The DSS will eventually be expanded to support an Executive Information System (EIS) for senior managers. The MPD staff's analysis of a cross-section of operational and resource-use data in 1992 enabled the Division to produce a variety of reports, including the annual "Director's Report", District Performance Reports, and one-time reports of workload status and resource usage. The Management and Planning Division conducts the statistical analysis required for the allocation of FFP among all USMS field offices. The Division is developing a data dictionary for all

United States Marshals Service information systems, and standards for the collection, use and distribution of performance measurements.

The Office of Policy and Communications (formerly titled Office of Congressional and Public Affairs) conducts the internal and external communication activities of the Marshals Service, including written and oral communications with members and staff of the Congress, members of the print and electronic media, the general public, and all Districts and Divisions of the Marshals Service. The Division coordinates all Marshals Service Congressional inquiries; interacts with media representatives and responds to media inquiries; coordinates the Marshals Service Director's public appearances; prepares the Director's testimony for Congressional hearings and speeches to law enforcement agencies and public audiences; and produces a variety of publications for internal and external audiences. In addition, it is responsible for: coordination of Marshals Service's participation in the National Sheriff's Association (NSA) and other public events; coordination of Marshals Service conferences and the annual Director's Awards Ceremony; and development of presentations, including visual aids, for use by the 94 U.S. Marshals.

The Office of General Counsel provides legal representation and advice to the Director, USMS, and to Marshals Service personnel throughout the country. The Office also assists the Director in preparing agency position papers and serves as the legal liaison with other agencies within and outside of the Department of Justice. The Office acts as the agency's ethics official and satisfies the Service's obligations under the Freedom of Information and Privacy Act. The Office represents the Service in all administrative hearings and provides litigation support to U.S. Attorneys' Offices and Department of Justice litigating divisions in representing the Marshals Service in Federal litigation.

The Office of Inspections consists of the Internal Security Division, Investigations Division, Program Review Division and Policy Review Division. The Office also administers the USMS Special Deputation Program.

- The Internal Security Division (ISD) is responsible for the accomplishment of initial background investigations (BI's) and five-year reinvestigations on all USMS employees and contract employees. The ISD's Background Investigations Branch conducts the majority of these investigations, the remainder are conducted by OPM. ISD's Suitability Adjudications Branch reviews and adjudicates all completed BI's and determines suitability for initial or continued employment. The Division's Security Programs Branch issues and maintains accountability for USMS badges, credentials, and building access cards; performs building and area security functions; administers the security clearance program; and establishes and documents USMS security policy. ISD also monitors and promulgates policy on ADP security for the USMS.

- The Investigations Division performs integrity-related internal investigations of alleged misconduct, illegal activity, or malfeasance by USMS employees or contractors. The Division employs 15 criminal investigators; six are

based at Headquarters, while nine operate from satellite offices throughout the country. The Investigations Division is the liaison with the DOJ Office of the Inspector General, Office of Professional Responsibility, and Federal Bureau of Investigation, assisting with investigations of USMS employees by these entities as directed.

The Program Review Division performs internal audits (program reviews) of USMS Districts, HQ elements, and USMS programs. The Division has an Eastern (HQ) Branch and Western (Denver, CO) Branch. The Division documents and analyzes program review findings and makes recommendations for correction of problems, elimination of weaknesses and vulnerabilities, and for prevention of future problems areas. The Planning and Audit Liaison Branch monitors external audits of USMS components by the Department of Justice, the General Accounting Office, and other external entities, assisting in the conduct of such reviews as necessary, and ensuring USMS response to recommendations made by external auditors are timely and appropriate. The Branch also analyzes systemic problems and trends within the Service, making recommendations for improvement.

Through the Special Deputation Program, the Office of Inspections authorizes and monitors the terms of over 4,000 USMS special deputations, continuously coordinating with the Department of Justice's Deputy Attorney General's Office for necessary approvals and restrictions.

Tb, Policy Review Division has responsibility for promulgation of Marshals Service Policy. The Division maintains and publishes the U.S. Marshals Manual as a Service-wide policy reference and also monitors A-123 and Federal Manager Financial Integrity Act (FMFIA) compliance throughout the agency.

PROGRAM INCREASES

PROTECTION OF THE JUDICIAL PROCESS

Courthouse Projects	PERM	NY	AMOUNT
Southwest Border	FOS	76	13,716
Witness Security	112	25	6,130
Restoration of Intermittent Deputies	50	8	426
TOTAL PROTECTION OF THE JUDICIAL PROCESS	0	110	2,717
	190	215	22,989

Proposed Actions

These initiatives seek to address the following objectives:

- 1) Provide personnel to protect all high-threat trials, other criminal proceedings, and certain civil proceedings, where warranted.
- 2) Provide a safe, secure, and unthreatening environment within which the Federal courts can conduct business.
- 3) Maintain security at approximately 750 judicial facilities across the nation by: evaluating new and changing requirements; providing technical assistance to U.S. Marshals and the Federal Judiciary on security procedures; and using "state-of-the-art" office and security equipment.
- 4) Provide personnel to support the increased incarcerations that will result from the southwest border immigration initiative.
- 5) Streamline financial processes through secure banking and electronic reporting services.
- 6) Increase security of protected witnesses and their families.
- 7) Reduce workload in District offices.

Courthouse Projects

USMS is requesting funding for the personnel and equipment necessary to ensure that new and renovated Federal Courthouses can open with adequate security. USMS requests 132 positions (92 Deputy U.S. Marshals and 40 administrative), 76 FTE, and \$13,716,000 for this initiative. The personnel requirements include DUSMs, administrative employees and interim guards to provide adequate staff at courthouses where construction or renovation will change operational requirements. The interim guards are needed for the period of time between the courthouse opening and the reporting date of the DUSMs, after the required basic training. These personnel requested are a direct result of the increased requirements of the construction/renovation projects and are not to address existing staffing shortages.

Based on courthouse project information from GSA and AOUSC, the following methodology was developed to determine the number of new DUSM and administrative positions required to provide appropriate security and support to the court space and its tenants: 1) a newly established judgeship requires 4 additional DUSMs; 2) an additional District Judgeship occurring as the result of another District Judge assuming senior status requires 2 additional DUSMs; 3) a newly appointed Bankruptcy Judge generates the need for 1 additional DUSM; and 4) a newly appointed Magistrate Judge generates the need for .25 additional DUSM. Furthermore, additional DUSMs are required due to other indicators and structural features, such as: 1) new courtrooms; 2) increased numbers of prisoners handled; 3) increased distances between principle jail facilities and the courthouse; 4) projects that result in a new facility in addition to an existing facility (2 additional DUSM required); and 5) projects resulting in a holding cell design that includes a full-time monitoring post (1 new DUSM). For every 10 DUSMs positions identified, four new administrative positions are also required.

Staffing requirements are increasing at 24 of the 191 courthouses undergoing construction or renovation in 1997. Without additional personnel, these courthouses will not be able to open with adequate security. The number of personnel required at each facility is based on a variety of factors, including: 1) whether the facility is being built to establish a court presence in a new city; 2) whether the construction results in an additional facility in an existing court city; 3) whether the construction or renovation of the facility is the result of a substantial increase in the prisoner population for the city; 4) whether additional judges or magistrates are being added at the facility; or 5) whether or not the renovated facility's cellblock area requires more staffing than the existing facility to secure.

Southwest Border Initiative

The USMS is requesting 50 FTE, 25 FTE and \$6,130,000 to support the Southwest Border initiative. As a result of the concern in the rise of illegal immigration, the U.S. Attorney of the Southern District of California embarked on a determined enforcement of 8 USC 1326 criminal alien cases. The detention workload generated by the increased prosecution of illegal aliens, termed Operation Gatekeeper, supported by Immigration and Naturalization Service's (INS)

IDENT system, has far exceeded the resources of the U.S. Marshals Service (USMS) in that District. Just to keep pace with growing demands, the district has been augmented with deputies on special assignment, has been provided emergency funding to hire five full-time guards, and has acquired a prisoner bus to assist in prisoner movements, and is expecting to purchase three additional prisoner vans. From October 1994 to January 1996, prisoners in custody in Southern California have increased by over 60 percent (from approximately 750 in October 1994 to 1,200 as of the middle of January 1996), exceeding the available jail space in the District.

Due to the successful implementation of Operation Gatekeeper (increased prosecution of illegal aliens), the U.S. Attorney of the Southern District of California has been assigned overall responsibility for coordinating the expansion of this prosecutorial effort into the other four districts bordering Mexico. USMS districts in Arizona, New Mexico, and Southern and Western Texas are already experiencing an increased workload. This request responds to this increased and unanticipated demand.

Using prosecutorial projections from the five U.S. Attorneys, the USMS has developed an estimate of the supplemental resources required to satisfy this increased workload. Based on an average estimate of DUSH workhours required for each type of judicial process per detainee, it is estimated to take approximately 76 DUSH and 3 administrative workhours to process one defendant whose case goes to trial. For a defendant who pleads guilty, it will take approximately 27 DUSH and 3 administrative workhours. The U. S. Attorney's projected 8 USC 1326 caseload for 1997 is 34 cases going to trial and 3,337 cases with the defendant plead guilty. The USMS total needs based on these projections are:

DUSHs	45 FTP	23	\$5,574,000
Administrative Support	5 FTP	2	\$266,000
Vehicles			\$290,000 (1 bus - \$80,000 and 7 vans - \$210,000)

Witness Security

The Marshals Service requests eight positions, four workyears, and \$426,000 to implement a program for Witness Security banking and electronic reporting services, which will greatly enhance the security of protected witnesses and reduce the administrative staff workload in the Districts.

An estimated total of 17,736 annual average hours or an equivalent of 8.5 positions was spent in FY 1994 by the 67 Districts to process financial vouchers in support of WITSEC financial work. By 1997, WITSEC is anticipating the expenditure of \$33,000,000 on protected witnesses, which equates to an estimate of over 45,000 financial vouchers.

These vouchers must be processed, audited, and keyed into the financial systems, both the Internal Witness Security Financial File and the Department's accounting system. This project would serve to remove this workload from the District Offices and place it on the WITSEC staff.

The proposed project will also reduce exposure to protected witness information and provide instantaneous and centralized reporting and accountability. By far the most important aspect of the project, however, is that it will limit access to information about new identities and new locations, thereby greatly increasing the security for protected witnesses.

Restoration of Intermittent Deputies

The USMS requests 110 PRS and \$2,718,000 for the restoration of Intermittent Deputy United States Marshals (IDUSMs). Originally the USMS's streamlining plan was to reduce 300 work years (WYs) through a combination of administrative reductions at Headquarters (150 WYs) and the elimination of all IDUSMs (150 WYs in total). The IDUSMs reduction was incorporated in the FY 1996 budget. Now, however, the USMS requests restoration of the PRS associated with the IDUSMs for security reasons. USMS is responsible for the care and custody of Federal prisoners from the time that they come into USMS custody (during arraignment before a magistrate, on a writ, etc.) until the time the court releases them or delivers to a Bureau of Prisons institution for service of their sentence. On any given day there are approximately 23,000 prisoners in USMS custody. One of the major functions of the IDUSMs was the handling of prisoners for transportation and guard details. The DUSMs have had to pick up duties that the IDUSMs once performed, especially with the recent growth of the USMS prisoner population across the country, from an average of 19,000 a day to over 23,000. This restoration will again provide the USMS the flexibility, it once had, to meet its security needs where there are not enough full-time Deputy United States Marshals (DUSMs) to accomplish the task.

NATIONAL PRISONER TRANSPORTATION

Restoration of Intermittent Deputies
TOTAL NATIONAL PRISONER TRANSPORTATION

PERM	WY	AMOUNT
POS.	10	248
...	10	248

Restoration of Intermittent Deputies

The USMS requests 10 FTE and \$248,000 for the restoration of Intermittent Deputy United States Marshals (IDUSMs). Originally the USMS's streamlining plan was to reduce 300 work years (WYs) through a combination of administrative reductions at headquarters (150 WYs) and the elimination of all IDUSMs (150 WYs in total). The IDUSMs reduction was incorporated in the FY 1996 budget. Now, however, the USMS requests restoration of the FTEs associated with the IDUSMs for security reasons. USMS is responsible for the care and custody of Federal prisoners from the time that they come into USMS custody (during arraignment before a magistrate, on a writ, etc.) until the time the court releases them or delivers to a Bureau of Prisons institution for service of their sentence. On any given day there are approximately 23,000 prisoners in USMS custody. One of the major functions of the IDUSMs was the handling of prisoners for transportation and guard details. The DUSMs have had to pick up duties that the IDUSMs once performed, especially with the recent growth of the USMS prisoner population across the country, from an average of 19,000 a day to over 23,000. This restoration will again provide the USMS the flexibility, it once had, to meet its security needs where there are not enough full-time Deputy United States Marshals (DUSMs) to accomplish the task.

FUGITIVE APPREHENSION

Restoration of Intermittent Deputies
TOTAL FUGITIVE APPREHENSION

PERM	WY	AMOUNT
POS.	30	742
...	30	742

Restoration of Intermittent Deputies

The USMS requests 10 FTE and \$742,000 for the restoration of Intermittent Deputy United States Marshals (IDUSMs). Originally the USMS's streamlining plan was to reduce 300 work years (WYs) through a combination of administrative reductions at headquarters (150 WYs) and the elimination of all IDUSMs (150 WYs in total). The IDUSMs reduction was incorporated in the FY 1996 budget. Now, however, the USMS requests restoration of the FTEs associated with the IDUSMs for security reasons. USMS is responsible for the care and custody of Federal prisoners from the time that they come into USMS custody (during arraignment before a magistrate, on a writ, etc.) until the time the court releases them or delivers to a Bureau of Prisons institution for service of their sentence. On any given day there are approximately 23,000 prisoners in USMS custody. One of the major functions of the IDUSMs was the handling of prisoners for transportation and guard details. The DUSMs have had to pick up duties that the IDUSMs once performed, especially with the recent growth of the USMS prisoner population across the country, from an average of 19,000 a day to over 23,000. This restoration will again provide the USMS the flexibility, it once had, to meet its security needs where there are not enough full-time Deputy United States Marshals (DUSMs) to accomplish the task.

SEIZED ASSET MANAGEMENT

Restoration of Seized Assets Expenses
TOTAL SEIZED ASSET MANAGEMENT

PERM		
FOR.	HY	AMOUNT
...
		3,500

The USMS requests \$3,500,000 to restore a Salaries and Expenses base shortfall. In FY 1995, the USMS requested a total of \$8,000,000 in reimbursable funding from the Assets Forfeiture Fund (AFF) for non-personnel costs related to the Seized Assets management program. Prior to the FY 1995 budget, these costs were reflected as direct funding in the USMS, Salaries and Expenses appropriation. In the FY 1995 Congressional Budget, the USMS Salaries and Expense appropriation was reduced by this \$8,000,000. As a result, USMS is now placed in the position of funding a portion of USMS agency infrastructure costs with reimbursable funding from AFF.

The original estimate of \$8,000,000 assumed a constant level of seized assets workload. Due to decreases in seizure and forfeiture workload in the field as a result of recent court decisions¹, USMS has been unable to bill the AFF for the previously estimated \$8,000,000 in non-personnel costs in the USMS base. Even though operational hours devoted to the seizure program have decreased² and the hours have shifted to other operational activities, the agency's infrastructure costs have not decreased accordingly. For example, space charges for the agency and other management support costs remain constant regardless of where operational hours are utilized. Since the reimbursable amounts vary depending on the level of operational hours devoted to the seized assets program, and since seizure workload is decreasing, the reimbursable AFF billings are decreasing accordingly. In FY 1995, there are a number of unfunded infrastructure requirements as a result of this base shortfall, such as the need to upgrade computers to meet current operating requirements, and the urgent need to fund maintenance and repair of some older USMS security equipment. Based on current projections, the AFF reimbursable total for non-personnel costs for FY 1995 will total only \$4,500,000. The USMS requests restoration of the current unfunded Salaries and Expenses base shortfall of \$3,500,000.

¹ Examples are the Supreme Court ruling in the Daniel Good real property case and adverse decisions on Fifth amendment double jeopardy issues in the Ninth Circuit.

² In December 1994, operational hours worked in the seizure and forfeiture program totalled 28,506. In June 1995, operational hours worked in the program totalled 25,151. This represents a decrease of 12% in 6 months.

D.C. SUPERIOR COURT

PERM	MY	AMOUNT
POS.	25	4,700
<u>50</u>	<u>25</u>	<u>4,700</u>
50	25	4,700

The Marshals Service requests 50 positions (30 deputies and 20 Detention Officers), 25 workyears and \$4,700,000 to support the Office of the U.S. Marshal for the District of Columbia, which is currently critically understaffed. Deputies are requested to improve judicial security by allowing for the minimum of two Deputies in each courtroom, one of which is armed, for every judicial proceeding involving prisoners. The Detention Officers are requested to improve prisoner security and handling efficiency by staffing the courtroom holding cells.

Though the USMS policy would indicate that this district requires 96 positions (60 Deputies and 36 Detention Officers) to meet minimum security requirements, this magnitude of growth would be unmanageable. Therefore, the Marshals Service is requesting 30 Deputies and 20 Detention Officers.

ADP and Telecommunications

PERM	WX	AMOUNT
POS.	...	4,000
20	10	1,361
...	...	2,000
20	10	7,361

Automated Prisoner and Fugitive Information System

An increase of \$4,000,000 is requested as the first of a four-year \$16 million project to create an automated prisoner and fugitive information system. The development of this database will improve the efficiency and effectiveness of all offender-based processes in the USMS and support the agency-wide need for an automated decision support system.

The USMS will employ both in-house and contract staff to develop a comprehensive client/server application. The goal is to take the best features of three USMS software applications -- Warrant Information Network (WIN), Prisoner Tracking

System (PTS), and automated prisoner scheduling -- and merge them into one integrated application. These features include Warrant/Summons Administration, Investigation Support, Jail/Facility Management, Prisoner Population Management and Prisoner Transportation. The incremental process or transition from a decentralized system architecture to a shared data concept envisioned by the Centralized Prisoner Database will require an orderly fashion of monitoring system performance requirements of the total hardware, software and telecommunications infrastructure.

A client/server application will create new opportunities to avoid unnecessary data duplication, to share offender-based data, internally and externally, and most importantly, to help bring decision-making responsibilities to deputy marshals and district administrative support staff. Using a client/server approach allows for "technological inserts" (or enhancements) of mugshot imaging or other offender-based applications, such as complete ABS technology being developed by DOJ Joint Automated Booking Stations (JABS) laboratory. All USMS programming efforts will be compatible with JABS.

The Centralized Database for Prisoner Tracking will be a four-year phased project beginning in FY 1997 and ending in FY 2000. Beginning in FY 1997, implementation of the new database will begin and all enhancements to existing systems (WIN, PTS, prisoner scheduling) will cease. Those systems will be maintained in their current state until full implementation. A brief phased approach by fiscal year is as follows:

FY 1997- Complete network and upgrade data circuits
 - Complete Requirements Analysis
 - Complete Computer Security Risk Analysis
 - Purchase Data Base Management System site license

FY 1998- System Design
 - Complete Security Plan w/DOJ Approval
 - Upgrade clients/PCs
 - Upgrade district servers
 - Purchase development tools

FY 1999- System Implementation/Integration
 - Additional upgrade clients/PCs
 - Purchase remaining tools
 - Provide training
 - Provide User Support
 - Purchase contingency server

FY 2000- System Implementation
 - Training
 - User Support
 - Operations and Maintenance Support

Senior System Administrators

An increase of 20 positions, 10 FTE, and \$1,361,000 is requested to provide computer specialist positions to the field. Traditionally, all computer specialist positions have been assigned to Headquarters in Arlington, Virginia. In the beginning of the Service's automation efforts, this staffing pattern made sense because most software applications and equipment were being developed and implemented at the Headquarters level. Any support provided to the field was either over the phone or through training of district administrative staff to perform basic computer support tasks. Systems administration duties have been performed as a collateral duty. With the installation of the MARSHALS Network and the proliferation of personal computers, printers, and software in the district offices, this staffing pattern no longer provides the best support to the agency.

Beginning in 1993, USMS geographically reassigned 10 computer specialists from Headquarters to the top 10 district offices. These 10 computer specialists were a pilot for the Senior System Administrators (SSA) Program. While providing support to their home district, the SSAs were also providing technical assistance to surrounding districts. SSAs often visit their assigned districts to train staff, audit computer security procedures to ensure compliance, and to help install new software and hardware. Data taken from the USMS help desk database located at USMS Headquarters has shown that the SSA pilot is in fact working as projected. In a ranking of the 94 district offices by the number of incoming trouble calls, the districts that currently have strong SSAs are ranked in the lower 25 percentile. For example, in May 1994, an SSA was placed in the District of Arizona reducing the average of help desk calls from that district alone by 85 percent. Depending upon the program, 60-70 percent of all the USMS activities are carried out in the 30 largest districts. By FY 1997, these districts will be almost totally dependent upon automated systems to perform functions within acceptable or required time limits. The 20 positions along with the 10 already on board will allow the USMS to place SSAs in the 30 largest districts. In addition to maintaining the system in their own districts, the 30 SSAs will be able to form a network of ADP professional staff able to provide on-site assistance to the surrounding districts.

Radios

A total of \$2,000,000 is requested to establish a base for radio replacement in the USMS infrastructure, to begin the replacement of outdated fixed and non-fixed radio equipment, and to increase the base for maintenance of existing, aging radio equipment. Currently, there is no base funding for USMS radio purchases for the USMS field offices. The entire USMS radio program, with an inventory of approximately 4,600 radios, still leaves approximately 750 DUSMs without handheld radios.

This increased funding will provide \$520,000 for 140 mobile radios and \$1,480,000 for 400 handheld radios. This funding is required to provide radios to operational deputies who currently do not have a handheld radio. The increase in violent activities, such as the New York City World Trade Center and Oklahoma City Federal Building bombings, have accentuated the absolute requirement for each deputy who responds to such incidents to arrive with fully functional radio equipment.

Management and Administration

Vehicles TOTAL APP and Telecommunications

PERM	MY	AMOUNT
POS.	---	4,000
---	---	4,000

Vehicles

A total of \$4,000,000 is requested for vehicle purchases. The USMS currently has no base to replace vehicles in its aging fleet. As a result, the Marshals Service has had to rely heavily on more costly commercially leased vehicles. The 60,000 miles/3 year vehicle replacement standard was recently recommended by the Director, Interagency Policy (DIAP), Department of Justice, and has been approved by the Attorney General. This increase will provide funding for 192 vehicles to begin establishment of this base.

USMS has developed a Vehicle Replacement Master Plan to begin replacing leased vehicles and older owned vehicles, toward the goal of having an entirely owned fleet with the recommended fleet vehicle replacement standard of 60,000 miles/3 years. Calculations are based on the following: a fleet which averages 2,100 vehicles (excluding seized vehicles); average fleet mileage of 20,000 miles per year per vehicle; an average vehicle purchase price of \$20,000 (USMS vehicles include sedans as well as more costly prisoner vans and buses); and a fleet replacement cycle of 60,000 miles/3 years. If funding is not approved, USMS will have to continue the more costly commercial leases, and will be unable to establish a cyclic and routine vehicle replacement standard. The long-term result will be that operational personnel will be driving older, potentially less reliable vehicles which could ultimately have a negative impact on the ability to safely meet the USMS operational mission, i.e., prisoner transportation, fugitive apprehensions, etc.

NAME OF PROGRAM: Protection of Judiciary		PERFORMANCE INDICATOR INFORMATION				PERFORMANCE TARGETS AND ACTUAL RESULTS				
Type of Indicator	Performance Indicators	1983 Actual	1984 Actual	1985 Estimate	1986 Target	1987 Target				
Input	1. Number of Prisoners Received	84,372	82,372	84,488	86,871	88,020				
	2. Number of new principal witnesses received	228	200	141	188	188				
	3. Cumulative witness program participants (including family)	14,022	14,818	14,844	15,278	15,798				
	4. Number of bench hours from other proceedings	142,788	148,483	148,308	151,028	153,341				
	5. Number of civil trial bench hours	172,017	172,017	172,017	172,017	172,017				
	6. Number of bench hours from other proceedings	610,257	617,287	612,741	620,127	620,127				
	7. Number of magistrate proceedings		817,387	812,741	802,654					
Output/Activity	8. Number of trials in the judiciary resolved	247	210	177	200	200				
	9. Number of judicial conferences processed	138	132	42	70	70				
Intermediate Outcome	10. Number of witness voirdures processed	30,725	31,058	32,147	37,880	40,880				
	11. Average daily prisoner population	19,841	19,287	20,852	23,000	24,817				
	12. Number of prisoner productions for trials	114,888	88,705	103,338	100,000	113,700				
	13. Number of all other prisoner productions	272,218	258,175	244,485	274,514	289,200				
	14. Number of witness court productions	1,854	1,487	1,108	1,388	1,817				
End Outcome	15. Number of prisoner releases	0	0	0	0	0				
	16. Number of judges, magistrates, attorneys, or other members of the court family harmed while under USAMC protection	0	0	0	0	0				
	17. Number of program witnesses harmed (while following program guidelines)	0	0	0	0	0				
A. Definitions of Terms or Explanations for Indicators										
2. Reflects only the annual number of new witnesses received in the program.										
4 and 6. Reflects the cumulative total of all participants including family members who have been in the Witness Protection Program since its inception.										
5. ACJ/PC did not provide projections on the missing workload statistics. Data are for the 12-month period ended June 30, 1985. Workload statistics for Prisoner Services are shown by the Judiciary and therefore, BIA or no discretion is available to BIA.										
16. Includes the success of USAMC personnel who provide a safe, secure, and an undisturbed environment within which the Federal courts can conduct business.										
Note: If a program area did not provide FY 1985 Estimates, the FY 1985 Target number was also placed in the FY 1985 Estimate column.										

B. Factors Affecting FY 95 Program Performance										
3.	Results are indirectly driven by the sponsorship of witnesses into the Witness Security Program by investigating agencies (DOJ, FBI) and by the authorization of these witnesses by the Criminal Division into the Program.									
6.	Increase is due to the increase in the number of prosecutors, trial, and criminal history judges.									
11.	Increase is due to a direct result of Departmental law enforcement and prosecutorial initiatives.									
16.	Due to the continuing efforts to evaluate new and changing security requirements, provide technical assistance to the Federal Judiciary on security procedures, and the use of state-of-the-art security equipment, no members of the court family has been harmed while under USMS protection.									
C. Factors Affecting Selection of FY 96 and FY 97 Targets										
3.	Initiatives such as the Violent Crime Initiative and the Crime Control Act will contribute to the increase in the number of witnesses received.									

NAME OF PROGRAM: National Prisoner Transportation/Justice Prisoner and Alien Transportation(JPATS)										
PERFORMANCE INDICATOR INFORMATION										
Type of Indicator	Performance Indicators					PERFORMANCE TARGETS AND ACTUAL RESULTS				
	1993 Actual	1994 Actual	1995 Actual	1995 Estimate	1996 Target	1997 Target	1998 Target	1999 Target	2000 Target	2001 Target
Input										
Output/Activity										
1. Number of prisoners received for all transportation	75,748	73,380	71,743	71,743	81,618	82,278				
2. Number of USMS detainees moved to destination	52,394	50,182	53,344	53,344	56,078	54,548				
3. Number of DOJ prisoners moved to destination	21,407	21,794	21,186	21,186	25,000	25,000				
4. Number of State and Local prisoners moved to destination	1,278	1,346	2,279	2,279	4,004	37,000				
5. Number of military prisoners moved to destination	122	182	113	113	124	5,043				
6. Number of flights by large and small jet that were flown under full capacity	0	0	0	0	0	124				
Intermediate Outcome										
End Outcome										
8. Number of complaints on inmates received from customers	0	0	0	0	0	0				
9. Number of complaints from all categories of prisoners	0	0	0	0	0	0				
10. Number of staff injuries	0	0	0	0	0	0				
11. Number of escapes	0	0	0	0	0	0				

[illegible]

Intermediate Outcome	8	Percent of USMS arrests on DEA warrants	70%	417	70%	409	70%	401	70%	500	70%	530
	9	Number of USMS arrests on warrants involving escape or conspiracy										
	10	Number of USMS arrests on warrants involving bond default, probation, or parole violations										
	11	Number of USMS arrests on other felony warrants		9,753		9,240		9,331		9,400		9,500
	12	Number of USMS arrests on misdemeanor warrants		8,529		7,789		8,398		8,400		8,500
	13	Foreign fugitives arrested and extradited to U.S.		8,529		7,789		8,398		8,400		8,500
	14	Percent of Class 1 investigations supported by EBU technicians resulting in successful warrant execution		170		183		241		200		210
				57%		64%		73%		75%		80%
End Outcome	15	Percent of Class 1 warrants executed (including all received and backlogged)		46%		45%		47%		46%		51%
	16	Percent of misdemeanor warrants executed (including all received and backlogged)		(19,321)		(17,465)		(18,130)		65%		68%
				61%		56%		63%				
A. Definitions in Terms or Explanations for Indicators												
Note: If a program area did not provide FY 1995 Estimates, the FY 1995 Target number was also placed in the FY 1995 Estimate column.												
B. Factors Affecting FY 95 Program Performance												
9, 11, and 12: Reduction in USMS felony arrests are due to USMS commitment award allocated authorities in fighting violent crimes												

NAME OF PROGRAM: Seized Assets		PERFORMANCE TARGETS AND ACTUAL RESULTS					
PERFORMANCE INDICATOR INFORMATION		PERFORMANCE INDICATORS					
Type of indicator		1993 Actual	1994 Actual	1995 Estimate	1996 Target	1997 Target	
Input							
1.	Total real properties seized	2,130	793	563	800	800	
2.	Total personal properties seized (including cash and financial instruments)	30,286	31,138	32,315	28,000	28,000	
Output/activity							
3.	Total real properties disposed	2,740	2,402	1,532	1,400	1,400	
4.	Total personal properties disposed (including cash and financial instruments)	41,709	38,463	31,815	30,000	30,000	
Intermediate Outcome							
5.	Initial CATS in all districts			20 districts	20 districts	74 districts	

End Outcome	Real Property	300	350	402	402	365	365
7. Of forfeited real properties pending disposition, Percent which have been forfeited for less than or equal to 12 months.	42%	54%	42%	44%	44%	75%	75%
8. Of forfeited real properties pending disposition, Percent which have been forfeited for greater than 12 months.	58%	46%	58%	56%	56%	25%	25%
9. Of forfeited real properties pending disposition, Percent disposed of less than or equal to 12 months after forfeiture.	71%	71%	56%	61%	61%	75%	75%
10. Of forfeited real properties pending disposition, Percent disposed of greater than 12 months after forfeiture.	29%	29%	42%	39%	39%	25%	25%
11. Number of properties sold for less than 85% of appraised value.	3,779	3,779	8,968	4,460	4,460	4,150	4,180
12. Percent of assets sold for less than 85% of appraised value.	39%	39%	39%	33%	33%	33%	33%

A. Divisions of Terms or Explanations for Indicators

Note: If a program area did not provide FY 1995 Estimates, the FY 1995 Target number was also placed in the FY 1995 Estimate column.

B. Factors Affecting Selection of FY 96 and 97 Targets

2. The drop in real estate seizures is largely due to a December 1993 Supreme Court Decision (U.S. v. David Good) that allows a claimant to request a pre-seizure hearing before the taking of any occupied real estate. As a result, real estate targeted for seizure is generally not seized until the forfeiture proceedings are completed.

T-1 drop in overall seizures is due to many factors. As of October 1, 1994, the USMS no longer was responsible for the post-seizure management or disposition of IRS, ATF, and Secret Service judicial seizures. In addition to the David Good decision, adverse court rulings on double jeopardy and successive fines issues has slowed the volume of civil forfeitures. Increased emphasis has been placed on criminal forfeitures.

7 and 8. The Director of the USMS set a goal to have all forfeited assets disposed of in under a twelve month period. A concentrated effort by the Seized Assets Division and the district offices in 1995, to identify difficult to liquidated assets, resulted in the disposition of many overvalued properties from the USMS custody this past fiscal year.

12. The USMS must continuously balance the time in which we will allow an asset to stay in the inventory (according to agency codes), third parties interest in the sale proceeds (i.e., lien holders and state and local law enforcement agencies), against our goal of achieving 85% of appraised value. Due to the large volume of personal property sold (whereas all, as is), it can be expected that approximately a third of our disposition will be for less than 85% of appraised value.

NAME OF PROGRAM: D.C. Superior Court		PERFORMANCE INDICATOR INFORMATION							PERFORMANCE TARGETS AND ACTUAL RESULTS						
Type of Indicator	Performance Indicators	1993 Actual	1994 Actual	1995 Actual	1995 Estimate	1996 Target	1997 Target								
Input	1. Criminal Judicial Proceedings 2. Fugitive Class I Warrants	31,326 6,353	29,236 4,368	29,500 4,568	29,500 4,018	30,000 4,000	30,000 4,000								
Output/Activity	3. Prisoners held in detention cells 4. Fugitives apprehended	86,129 481	92,563 370	79,365 433	79,365 433	86,500 500	86,000 1,000								
Intermediate Outcome	5. Number of attempted escapes 6. Number of actual escapes 7. Number of attempted suicides 8. Number of actual suicides	10 0 5 0	16 0 5 0	3 1 5 0	3 1 5 0	3 0 5 0	3 0 5 0								
End Outcome	9. Percent of criminal proceedings meeting minimum acceptable (USMS security) standards 10. Percentage of time when call block seating meets USMS minimum security standards 11. Percentage of time when courtroom holding cell seating meets USMS minimum security standards	2% 60% 2%	2% 60% 2%	2% 60% 2%	2% 60% 2%	2% 60% 2%	2% 60% 2%								
C. Definitions of Terms or Explanations for Indicators:															
9. The District cannot meet the USMS standard of producing a prisoner with two Duplicates for security and having at least one being armed with number of Duplicates allocated.															
Note: If a program area did not provide FY 1995 Estimates, the FY 1995 Target number was also placed in the FY 1995 Estimate column.															
B. Factors Affecting FY 95 Program Performance															
3. Prisoners down due to decreased arrest by D.C. Metropolitan Police Department because of budget cuts															
4. Increase resulted from more deputies assigned to capture felons															
5. Decrease caused by more guards being hired to assist in handling prisoners in lieu of having enough personnel															
USMS Operational personnel resources in the district are stretched to limit and all operations are impacted as a result of the District's efforts to perform its missions and provide judicial security															
C. Factors Affecting Selection of FY 96 and 97 Targets															
No new positions were allocated for FY 96, so the status quo would likely be maintained. With increased resources in FY 97, a significant increase in results are anticipated.															

NAME OF PROGRAM: Service of Legal Process									
PERFORMANCE INDICATOR INFORMATION		PERFORMANCE TARGETS AND ACTUAL RESULTS							
Type of Indicator	Performance Indicators	1993 Actual	1994 Actual	1995 Actual	1995 Estimate	1996 Target	1997 Target	1998 Target	1999 Target
Input	1 Legal Process and Court Orders received 2 Fees and Commissions Collected (in thousands)	270,712 \$3,130	246,115 \$3,452	270,268 \$3,500	270,268 \$3,500	266,000 \$3,500	266,000 \$3,500	266,000 \$3,500	266,000 \$3,500
Output/Activity	3 Number of abortions (clinic-based) performed 4 Number of inpatient abortions performed 5 Number of all other workyears expended for legal process	0 0 151	24 4 142	0 4 137	0 4 137	— 4 137	— 4 137	— 4 137	— 4 137
Intermediate Outcome	6 Legal Process and Court Orders served 7 Number of Inpatient Cases Collected, contracted, or cleared	254,181 863	213,772 790	260,571 260	260,571 260	260,000 260	260,000 260	260,000 260	260,000 260
End Outcome	8 Percent of debt collected, contracted, or cleared (against amount received for collection)	24%	86%	20%	20%	25%	25%	25%	25%
A. Definitions of Terms or Explanations for Indicators									
2 On July 30, 1994, DOJ ordered USMS to provide 24-hour protection at 24 abortion clinics in 14 districts. By November 23, 1994, the Attorney General authorized withdrawal of protective details and began scaling back details. This is a crisis generated initiative.									
5. This document includes not only debt collected, but also debt that is gradually relieved over time through payment plans, pay withholding, etc. and it also includes those debts cleared by the U.S. Attorney after investigation by the USMS.									
Note: If a program area did not provide FY 1995 Estimates, the FY 1995 Target number was also placed in the FY 1995 Estimate column.									

NAME OF PROGRAM: Training									
PERFORMANCE INDICATOR INFORMATION		PERFORMANCE TARGETS AND ACTUAL RESULTS							
Type of Indicator	Performance Indicators	1993 Actual	1994 Actual	1995 Actual	1995 Estimate	1996 Target	1997 Target	1998 Target	1999 Target
Input	1 Initial Workshop Allocation (in thousands) 2 Adjustments to Workshop (in thousands) 3 Total Yearly Workshop (in thousands)	\$1,528 \$163 \$1,718	\$798 \$415 \$1,213	\$1,274 \$652 \$2,126	\$1,274 \$652 \$2,126	\$1,271 \$540 \$1,512	— — —	— — —	— — —

[illegible]

NAME OF PROGRAM: ADPT telecommunications												
PERFORMANCE INDICATOR INFORMATION				PERFORMANCE TARGETS AND ACTUAL RESULTS								
Type of Indicator	Performance Indicators			1983 Actual	1984 Actual	Actual	Estimate	1985 Target	1986 Target	1987 Target	1988 Target	1989 Target
Input	1.	Number of JUST and MLEIS messages		291,460	287,511	308,750	308,750	312,500	312,500	312,500	312,500	312,500
	2.	Number of Helpdesk calls for ADP help		6,214	6,720	6,585	6,585	7,000	7,000	7,000	7,000	7,000
Output/Activity	3.	Number of NCIC clients and files		10,758	11,100	11,548	11,548	12,000	12,000	12,000	12,000	12,000
	4.	Number of Helpdesk calls successfully completed		5,530	6,250	6,509	6,509	7,000	7,000	7,000	7,000	7,000
	5.	Number of new phone systems purchased and programmed:										
		- handheld radios		0	0	125	125	144	144	144	144	144
		- mobile radios		0	0	50	50	72	72	72	72	72
		- repeaters/base stations		0	0	40	40	40	40	40	40	40
Intermediate Outcome	6.	Number of new phone systems installed		17	22	38	38	45	45	45	45	45
	7.	Number of districts and HQ offices with local area networks added to the MARSHALS Network		9	1	0	0	5	5	5	5	5
End Outcome	8.	Number of network users with Email capability		880	1,300	4,047	4,047	5,000	5,000	5,000	5,000	5,000
	9.	Number of Districts meeting minimum nonstandard radio standard (set by NTIA and JCS)		0	0	0	0	0	0	0	0	0
	10.	Number of Districts using Joint Automated Booking Station (JABS)		2	1	3	3	45	45	45	45	45
A. Definitions of Terms or Explanations for Indicators												
6 This figure only includes new and renewed court sites that require new phone systems installed. It excludes other District projects, such as, upgrading or changing out systems.												
7 Twenty-six districts had local area networks as of FY 1982.												
8 The division concentrated efforts in adding users to the network. With the project target, 1,000 new users have been added to the network in FY 1985.												
9 Prior to FY 1982, when DOJ made the FBI Laboratory, JABS was known as the Automated Booking System (JABS).												
Note: If a program area did not provide FY 1985 Estimates, the FY 1985 Target number was also placed in the FY 1985 Estimate column.												
B. Factors Affecting Selection of FY 86 and 87 Targets												
5 and 10 FY 87 radio purchases reflect those radios which would be purchased with base increased funding to working toward the goal of replacing all current equipment with mandated nonstandard systems.												
6 Increases reflect USAS initiative to update phone systems in district offices.												
7 and 8 Increases attributed to the additional computer installations, USAS personnel using new hardware and software, such as Windows, and the separation of the network.												
* denotes this figure affected by upgrading.												

United States Marshals Service
 Salaries and Expenses
 Priority Ranking
 Fiscal Year 1997

BASE PROGRAM		PROGRAM INCREASES	
Program	Ranking	Program	Ranking
Protection of the Judicial Process	1	Protection of the Judicial Process	1
National Prisoner Transportation	2	National Prisoner Transportation	2
Fugitive Apprehension	3	Fugitive Apprehension	3
Salient Asset Management	4	Salient Asset Management	4
Service of Legal Process	5	D. C. Superior Court	5
Training	6	ADP and Telecommunications	6
ADP and Telecommunications	7	Management and Administration	7
D. C. Superior Court	8		
Management and Administration	9		

United States Marshals Service
Salaries and Expenses
Detail of Permanent Positions by Category
Fiscal Years 1995-1997

Category	1995			1996			1997				
	Authorized	Reim- bursable	Total	Auth.	Reimb.	Total	Transfers	Program Increases	Stream- lining	Auth.	Reimb.
Attorneys (605).....	23		23	23		23				23	
Other Legal & Kindred (600-668).....	62		62	62		62				62	
Criminal Investigative (1811).....	2,586	36	2,586	36	36	96	96	167		2,649	36
Other Misc. Occupations (001-099).....	32		32	32		4				32	4
Social Sciences, Economics and Kindred (100-199).....	5		5								5
Personnel Management (200-299).....	63		63						(3)	60	
General Admin., Clerical and Office Services (300-399).....	749	27	758	31	31	33	33	53	(31)	813	31
Accounting and Budget (500-599).....	123		123						(6)	117	
Medical, Dental & Public Health (600-699).....	1		1							1	
Engineering and Architecture Group (800-899).....	3		3							3	
Information & Arts Group (1000-1099).....	9		9						(3)	6	
Business & Industry Group (1100-1199).....	94		94	54		1	1			55	
Library & Archives Group (1400-1499).....	1		1							1	
Equipment, Facilities and Services Group (1600-1699).....	7		7					1		28	
Education Group (1700-1799).....	3		3					20		3	
General Investigating Series (1800-1899).....	54		54				9	20		63	
Supply Group (2000-2099).....	6		6				3			9	
Transportation Group (2100-2199).....	33		33	33		19	19			52	
Wage Grade.....	0		0				7			7	
Total.....	3,854	63	3,823	71	71	169	169	260	(43)	4,209	71
Washington.....	505	13	465	21	21				(43)	465	21
U.S. Field.....	3,346	50	3,357	50	50	169	169	260		3,743	50
Foreign Field.....	1		1							1	
Total.....	3,854	63	3,823	71	71	169	169	260	(43)	4,209	71

*Category for personnel in Washington, D.C. represents only people performing Headquarters functions.

United States Marshals Service
Salaries and Expenses
Summary of Agents Law Enforcement and Support Positions
(Dollars in Thousands)

Appropriated Positions	1995 Appropriation Anticipated						1997 Total Increases						1997 Request Level					
	Law Enforcement			Non-Law Enforcement			Law Enforcement			Non-Law Enforcement			Law Enforcement			Non-Law Enforcement		
	Pos.	FTE	Pes.	Pos.	FTE	Pes.	Pos.	FTE	Pes.	Pos.	FTE	Pes.	Pos.	FTE	Pes.	Pos.	FTE	Pes.
Decision Unit	1,603	1,630	484	412	2,007	2,042	233	281	83	50	316	541	1,638	1,621	587	462	2,403	2,363
Protection of the Judicial Process	105	120	55	53	180	173	...	...	...	...	...	...	105	130	55	53	180	183
National Prisoner Transportation	402	408	184	173	598	581	...	...	...	...	...	...	402	438	184	173	598	611
Fugitive Apprehension	222	277	186	127	418	404	...	...	...	...	...	...	222	277	186	127	418	404
Seized Assets Management	105	101	51	45	156	146	30	15	20	10	50	25	135	118	71	55	208	171
D.C. Superior Court	119	127	64	82	183	188	...	...	...	...	...	...	119	127	64	82	183	188
Service of Legal Process	17	...	10	7	27	24	...	...	...	...	...	...	17	17	10	7	27	24
Training	...	...	27	21	27	21	...	...	...	...	...	...	...	...	6	47	31	27
ADP / Telecommunications	13	13	156	78	199	81	...	...	...	...	...	...	13	13	156	78	199	81
Management and Administration	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...
TOTAL	3,886	3,893	1,237	878	3,823	3,871	283	348	123	79	388	618	3,548	3,538	1,360	1,048	4,369	4,087

Reimbursable Positions	1995 Appropriation Anticipated						1997 Program Increases						1997 Request Level					
	Law Enforcement			Non-Law Enforcement			Law Enforcement			Non-Law Enforcement			Law Enforcement			Non-Law Enforcement		
	Pos.	FTE	Pes.	Pos.	FTE	Pes.	Pos.	FTE	Pes.	Pos.	FTE	Pes.	Pos.	FTE	Pes.	Pos.	FTE	Pes.
Decision Unit	4	4	30	20	34	34	...	...	...	...	...	...	4	4	30	20	34	34
Protection of the Judicial Process	17	17	5	5	5	5	...	...	...	...	...	...	17	17	5	5	5	5
National Prisoner Transportation	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...
Fugitive Apprehension	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...
Seized Assets Management	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...
D.C. Superior Court	10	10	...	...	10	10	...	...	...	...	...	...	10	10	...	...	10	10
Service of Legal Process	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...
Training	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...
ADP / Telecommunications	...	...	5	5	5	5	...	...	...	...	...	...	...	...	5	5	5	5
Management and Administration	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...
TOTAL	31	31	40	40	71	71	...	...	...	...	...	...	31	31	40	40	71	71

**United States Marshall Service
Salaries and Expenses
Summary of Changes
(Dollars in Thousands)**

1966 as enacted				
Technical Adjustment to display positions correctly				
1966 Appropriation Anticipated	Perm. Pos.	Work- Years	Annual	
Appropriation Available	190	3,671	943,346	
Transfer from Immigration and Naturalization Service for JPAIS	190			
VCRP to direct base	43	43	10,200	
Mail management base transfer	126	79	8,800	
			(89)	
Streamlining				
Streamlining reductions	(43)	(43)	--	
Mandatory increases:				
1967 pay rate and locality pay adjustment	--	--	9,265	
1966 locality pay adjustment	--	--	82	
Annals Jan and increase of 1966 pay rate	--	--	2,187	
CSRS retirement adjustment	--	--	--	
With-grade increases	--	--	2,897	
Anticipation of 167 additional positions approved in 1966	--	47	9	
Anticipation of 167 additional positions approved in 1966	--	--	100	
Trend linkage allowance rate increase	--	--	46	
General Service Administration (GSA) rent	--	--	--	
Commerce Business Daily printing increases	--	--	2	
General pricing level adjustments	--	--	1,231	
FBI charge	--	--	80	
Total mandatory increases	--	47	14,111	
Decreases:				
Nonrecurring costs for courthouses	--	--	(82)	
Nonrecurring costs for Counterterrorism Amendment	--	--	(10,009)	
Total decrease	--	--	(10,091)	
1967 Base	3,948	3,797	448,022	
Program Changes	280	280	43,540	
1967 Estimate	4,228	4,077	491,562	

United States Marshals Service
Salaries and Expenses
Justification of Adjustments to Base
(Dollars in thousands)

Transfers to and from other accounts:

	Pos.	NY	Amount
1. Immigration and Naturalization Service to USMS..... This transfer represents the reassignment of air transportation operation from INS to the U.S. Marshals Service for prisoner transportation. Also includes the funding to support the flight crew, fuel and maintenance costs for a 3rd 727.	43	43	\$10,300
2. Violent Crime Reduction Program to USMS..... Transfer of the base for courthouses from VCRP to Salaries and Expenses. Due to the fact that the VCRP funding may not be available in the outyears, the base resources for the courthouse projects coming on-line during FY 1996 are being transfer into the USMS Salaries and Expenses account to maintain operational continuity.	126	79	8,500
3. Mail Management..... Transfer of base to JMD for mail management. This redistribution is necessary in order to align base funding according to the allocation that is being used to distribute the 1996 Mail Management Service overhead costs. The funds to be redistributed will be based on the 1995 survey of mail volume, since this represents the most current information available.			(55)

Streamlining

(43) (43) ...

The USMS is requesting a decrease of 43 Positions and 43 FTEs. Using the principles set forth in the National Performance Review (NPR), the USMS will achieve improvements through functional reassignment of programs, continuous process improvement and the use of technology to streamline our operations. As a result, the USMS will decrease headquarters by 43 positions and workyears. This decrease will be achieved by the following: reassigning headquarters employees to vacant field locations and then eliminating the headquarters position; eliminating unnecessary organizational layers

Amount

FYS

FOL

such as Deputy Division Chiefs and Special Assistants; consolidating similar responsibilities; streamlining business practices and operating procedures; and delegating greater responsibility to the field, for functions currently controlled totally by headquarters.

Mandatory increases:

1. 1997 pay raise and locality pay adjustment 6,363

This request provides for the proposed 3.0 percent pay raise to be effective in January of 1997 and is consistent with Administration policy included in the Mid-Session Review revised economic assumptions, June 11, 1995. The amount requested, \$6,362,000, represents the pay amounts for three-quarters of the fiscal year plus appropriate benefits (\$4,391,000 for pay and \$1,971,000 for benefits = \$6,362,000).

2. Annualization of 1996 locality pay adjustments 862

This adjustment represents the 1st quarter amounts of the locality pay increase received January 1996, plus appropriate personnel benefits.

3. Annualization and increase of 1996 pay raises 2,192

This pay annualization represents first quarter amounts (October through December) of the anticipated 1996 pay increase of 2.4 percent effective January 1996, plus appropriate personnel benefits and the additional amount required above the 2.2 percent originally requested for the three-quarters of the year (\$1,512,000 for pay and \$680,000 for benefits).

4.	Within-grade increases.....	Pos.	FXs	Amount
	This request provides for the expected increase in costs of within-grade increases. This increase is based on an accurate, dynamic model of the Department's employee population which includes numerous factors such as anticipated pay raises, adjustments to include three-year attrition/separation rates, and career ladder series to reflect promotion policy for each organization. The request includes \$1,840,000 for pay and \$827,000 for benefits.	...	...	\$2,667
5.	Annualization of 126 additional positions approved in 1986.....	...	47	58
	This provides for the annualization of 126 additional positions approved in the 1986 President's Budget for the Protection of the Judicial Program.			
	Annual salary rate of 126 approved positions			
	Less lapse (50%)			
	Net Compensation			
	Associated employee benefits			
	Other (non-personnel)			
	Travel			
	Transportation of Things			
	GSA Rent/22			
	Communications/Utilities			
	Printing/Reproduction			
	Other Services			
	Supplies/Materials			
	Equipment			
	Total costs subject to annualization			\$ 58

	Pos.	MY	Amount
6. <u>Accident compensation</u>	100
This increase reflects the billing provided by the Department of Labor (DOL) for the actual costs in 1995 of employees' accident compensation. The 1996 amount will be \$100,000.			
7. <u>Travel-mileage allowance rate increase</u>	46
The mileage allowance rate has increased from 25 to 30 cents per mile. An increase of \$46,000 is requested in 1997 to cover this rate adjustment.			
8. <u>Commerce Business Daily Printing Increase</u>	2
The Commerce Business Daily announced that, effective October 1, 1995, it will charge \$18.00 for printing any notice in its publication. The increase of \$2,000 covers the estimated cost for this new charge.			
9. <u>General pricing level adjustments</u>	1,321
This request applies OMB pricing guidance contained in the President's budget, to selected expense categories. The increased costs identified result from applying a factor of 2.9 percent against those subobject classes where the prices that the Government pays are established through the market system instead of by law or regulation. Generally, the factor is applied to supplies, materials, equipment, contracts with the private sector, printing costs, transportation costs, and utilities.			
10. <u>FHIS Charges</u>	500
\$500,000 is provided for uncontrollable cost charged USMS by the FHIS Data Center.			
Total mandatory increases.....	...	47	\$14,111

	Pos.	NY	Amount
Decreases:			
1. Nonrecurring costs for courthouses.....	...	...	(82)
This decrease is to remove one-time expenses for the purchase of equipment for new employees authorized to ensure that new renovated Federal courthouses can open on schedule.			
2. Nonrecurring costs for Counterterrorism Amendment.....	...	...	(10,000)
This decrease is to remove one-time funding provided for the Oklahoma bombing trials.			
Total decreases.....	...	...	(10,082)
Total adjustments to base.....	126	126	\$22,774

United States Marshals Service
Salaries and Expenses
Summary of Positions by Grade and Object Class
(Values in Thousands)

	1994 Actual		1995 Estimate		1997 Request		Increase/Decrease	
	Positions & Vacancies	Amount	Positions & Vacancies	Amount	Positions & Vacancies	Amount	Positions & Vacancies	Amount
Grants and salary (except)								
Executive Level IV	1		1		1			
ES-5, \$111,200	1		1		1			
ES-4, \$101,400	1		1		1			
ES-3, \$103,800	3		3		3			
ES-2, \$97,400	0		0		0			
ES-1, \$82,800	1		1		1			
Special Level \$108,200	16		16		16			
GS-15, \$215,700	189		197		197			
GS-14, \$201,700	189		197		197			
GS-13, \$186,600	537		487		507		20	
GS-12, \$174,800	1,125		1,032		1,208		176	
GS-11, \$164,800	428		1,010		1,008		48	
GS-10, \$151,800	3		3		3			
GS-9, \$138,700	418		418		442		24	
GS-8, \$128,700	79		79		98		19	
GS-7, \$121,700	372		361		343		12	
GS-6, \$117,700	84		84		84			
GS-5, \$110,800	44		44		44			
GS-4, \$107,000	4		4		4			
GS-3, \$105,200	2		2		2			
GS-2, \$105,200	2		2		2			
GS-1, \$105,200	2		2		2			
Locality Pay		7,337		8,000		8,000		8,000
1997 Pay Rates								
Total, appropriated positions	3,664	183,913	3,633	189,228	4,368	217,132	704	28,119
Pay above federal annual rates								
Locality	(466)	(27,836)	(222)	(7,009)	(342)	(16,863)	(120)	(6,877)
Average Act to lower pay scales for part of year		(1,112)		(1,221)		(1,464)		(249)
Other than pay rates	3,368	155,065	3,391	181,018	3,977	198,805	609	24,731
Pay below pay rates								
Part-time employment	198	6,862	37	1,408	37	1,408		
Temporary employment	85	3,156	30	1,438	30	1,438		
Other part-time and intermittent employment	73	2,708			150	3,708	150	3,708
Other personnel compensation								
Over personnel compensation	113	7,071	104	4,872	104	4,872		
Leave Encumbrance Availability Pay	440	28,111	528	23,261	544	28,111	16	2,850
Other		684		722		872		188
Other compensation		6,863		5,087		5,087		1,776
Total, salaries and personnel compensation	4,336	288,258	4,391	216,891	4,718	242,791	382	24,893
Average GS Salary		\$102,731		\$114,404		\$117,836		\$117,836
Average GS Salary		\$102,731		\$114,404		\$117,836		\$117,836
Average GS/GM Grade		11.78		12.38		12.41		12.41
Average Ungraded Salary								

United States Marshall Service
Selection and Expenses
Summary of Requirements by Grade and Object Class
(Dollars in Thousands)

	1995 Actual Workyears	1995 Actual Amount	1995 Estimate Workyears	1995 Estimate Amount	1997 Request Workyears	1997 Request Amount	1997 Previous Workyears	1997 Previous Amount
Object Class								
111 Full-time personnel	3,386	153,965	3,491	180,734	3,887	199,928	346	19,194
112 Other than full-time personnel	317	17,724	79	3,845	220	4,313	170	3,708
113 Other personnel compensation	515	15,916	630	20,457	648	20,855	18	2,748
114 Other personnel compensation	356	24,358	4,361	316,981	4,778	345,781	454	35,888
Total, employees and personnel compensation								
121 Recruitables workyears	37	57,394	71	61,873	71	77,298		9,425
122 Other personnel		1,756		204		204		3,679
123 Personnel benefits		23,649		22,194		23,864		915
21 Travel and transportation of persons		849		840		1,755		4,345
22 Transportation of things		42,666		33,872		58,217		2,028
23 CIA use		13,729		17,454		19,442		110
231 Other payments to others		13,729		17,454		19,442		110
232 Compensation, salaries and allowances		445		693		893		2,309
24 Printing and reproduction		13,941		26,603		28,912		5,557
253 Other services		1,529		1,507		1,500		11,206
253 Personnel from Component Activities		11,433		7,340		13,797		
26 Supplies and materials		17,572		6,392		17,492		
31 Equipment		39		5		5		
42 Intergovernmental and interagency								
43 Intergovernmental and interagency								
Total	4,313	397,616	4,778	433,981	4,886	489,563	454	66,668
Unobligated balance end of year		(1,724)		(631)				
Unobligated balance end of year		83						
Total requirements		396,069		433,350		489,563		66,668
Balance of obligations to employees		397,616		423,901		489,563		
Total obligations		66,986		84,418		69,841		
Obligated balance, end-of-year		(68,418)		(68,418)		(73,316)		
Obligated balance, end-of-year								
Unobligated balance in reported amounts		396,184		422,479		486,117		
Outlays								41

United States Marshall Service
Schedules and Expenses
Schedule of Motor Vehicles

Method of Acquisition and Type of Vehicle	1993			1994			1997		
	Acquired	Disposed	End-of Year	Acquired	Disposed	End-of Year	Acquired	Disposed	End-of Year
1994 End-of Year									
Subtotal Purchased	647	279	368	823	153	670	304	19,500	1,274
Large autos	59	7	52	66	21	45	0	17,100	87
Medium autos	97	102	2	197	35	232	0	35,360	232
Subcompact autos	93	41	52	133	15	118	0	30,800	148
Van	0	0	0	0	0	0	0	0	0
Truck	0	0	0	0	0	0	0	0	0
Other	0	0	0	0	0	0	0	0	0
Subtotal Leased	279	34	245	224	8	211	244	20,800	1,733
Large autos	331	15	316	1	0	315	0	0	107
Medium autos	303	32	271	0	0	271	0	0	43
Subcompact autos	29	0	29	0	0	29	0	0	22
Van	32	0	32	0	0	32	0	0	0
Truck	0	0	0	0	0	0	0	0	0
Other	299	46	253	110	0	143	77	0	195
Subtotal Disposed	135	19	116	13	0	122	0	0	12
Large autos	135	19	116	13	0	103	24	0	72
Medium autos	0	0	0	0	0	0	0	0	0
Subcompact autos	0	0	0	0	0	0	0	0	0
Van	0	0	0	0	0	0	0	0	0
Truck	0	0	0	0	0	0	0	0	0
Other	0	0	0	0	0	0	0	0	0
Subtotal Liquidated	134	170	304	124	0	208	181	N/A	485
Large autos	1	7	6	0	0	6	0	0	0
Medium autos	26	13	13	15	15	0	16	0	36
Subcompact autos	85	16	69	11	11	58	15	15	81
Van	4	1	3	2	2	1	1	1	4
Truck	39	11	28	47	0	53	13	9	57
Other	6	0	6	0	0	6	0	0	1
Subtotal Repaired	149	20	129	113	23	90	22	0	110
Large autos	36	6	30	19	4	15	6	0	18
Medium autos	64	9	55	70	6	43	4	0	53
Subcompact autos	3	7	4	5	1	4	0	0	3
Van	0	0	0	0	0	0	0	0	0
Truck	0	0	0	0	0	0	0	0	0
Other	0	0	0	0	0	0	0	0	0
Subtotal Sold	427	87	340	453	85	368	96	N/A	447
Large autos	27	1	26	32	1	21	4	0	3
Medium autos	87	1	86	85	6	80	4	0	81
Subcompact autos	27	1	26	32	1	21	4	0	27
Van	0	0	0	0	0	0	0	0	0
Truck	0	0	0	0	0	0	0	0	0
Other	0	0	0	0	0	0	0	0	0
Total Vehicles	3,303	890	2,413	3,609	423	3,186	495	465	3,685

United States Marshall Service
Salaries and Expenses
Schedule of Aircraft
(Order to Inventory)

Type of Aircraft (Passenger Capacity)	FY94 End of Year Inventory	FY1995			FY1996			FY1997		
		Acquired	Disposed	End-of- Year	Acquired	Disposed	End-of- Year	Acquired	Average Co. Disposed	End-of- Year
Purchased:										
Jet Engine (120)	1	...	...	1	1	...	2	...	...	2
Jet Engine (110)	...	...	...	...	...	...	...	...	...	...
Turbo Prop (110)	...	...	...	...	...	...	...	...	...	...
Subtotal purchased	1	0	0	1	1	...	2	...	...	2
Leased:										
Jet Engine (120)	...	...	...	...	...	...	...	...	...	...
Subtotal leased	...	...	...	...	...	...	...	...	...	...
Sold, no cost for- fixed, or repurchased										
Fixed wing:										
Single-Engine (3)	4	...	3 **	1	...	...	1	...	...	1
Twin-Engine (6)	2	...	1 *	1	...	1 *	1	...	...	1
Turbo Prop (50/20)	...	...	...	0	3	1 **	2	...	...	2
Jet Engine (120/75)	1	...	...	1	1	...	0	...	...	0
Jet Engine (6)	1	...	1 ***	0	0	...	1	...	...	1
Jet Engine (8)	1	...	...	4	4	...	4	...	...	4
Jet Engine (10)	4	...	...	0	...	...	...	...	...	...
Jet Engine (0)	0	...	...	...	...	...	...	...	...	...
Subtotal sold	13	1	6	8	5	2	11	0	0	11
Total Aircraft	14	1	4	9	6	2	13	0	0	13

*Piper Cherokee transferred from DEA.
 **Cessna 310 transferred to State of So. Dakota
 ***Cessna 310 transferred to USBP and
 Mailed transferred to Dept of Interior.
 **Learjet transferred to INS D&D.
 Note: FY96 increase due to consolidation
 of INS D&D Air Operations Branch
 under the USMS (four aircraft) and the
 purchase of a third B727 (WCY).

Department of Justice
United States Marshall Service
Violent Crime Reduction Programs

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United States Marshals Service
Violent Crime Reduction Programs
Summary Statement
Fiscal Year 1997

For 1997, the United States Marshals Service requests a total of 41 permanent positions, 41 workyears and \$25,477,000. This request represents a decrease of 78 workyears and an increase of \$477,000 to the 1996 appropriation anticipated.

This funding will provide the personnel necessary to ensure that new and renovated Federal courthouses have adequate security. The Marshals Service's primary mission is to protect the Federal Judiciary and court proceedings, which is dependent upon the timely coordination and implementation of the established safety and security requirements for the construction of detention prisoner movement and related high security areas.

United States Marshall Service

Violent Crime Reduction Programs

Justification of Proposed Changes in Appropriation Language

For activities authorized by section 100001(b) of the Violent Crime Control and Law Enforcement Act of 1994, as amended \$15,477,000 be derived from the Violent Crime Reduction Trust Fund and remain available until expended. (Public L. 103-22.)

Note -- A regular 1996 appropriation for this account had not been enacted at the time this budget was prepared. The 1996 amounts included in this budget are based on the levels provided in three continuing resolutions: P.L. 104-91, P.L. 104-92, and P.L. 104-99.

United States Marshall Service
Violent Crime Reduction Program
Comparison of 1994 Changes
(Dollars in thousands)

Activity/Program	1994 President's Budget Request			Congressional Appropriations Actions on 1994 Request			Reprogrammings			1994 Appropriation Anticipated		
	Pos	WYs	Amount	Pos	WYs	Amount	Pos	WYs	Amount	Pos	WYs	Amount
1. Protection of the Judicial Process.....	41	40	\$16,500	126	79	\$4,500	...	...	...	167	119	\$24,000
2. National Prisoner Transportation.....
3. Fugitive Apprehension.....
4. Seized Assets Management.....
5. D.C. Superior Court.....
6. Service of Legal Process.....
7. Training.....
8. ADP/Telecommunications.....
9. Management and Administration.....
Total	41	40	\$16,500	126	79	\$4,500	...	...	...	167	119	\$24,000

Congressional Appropriations Actions on 1994 Request: Recommended funding of \$25,000 for courthouse requirements has been authorized in the Violent Crime Reduction Program (VCRP). Since a portion of this amount was requested within the Salaries and Expenses account, a transfer of 126 positions, 79 FTE, and \$4,500 is displayed above.

United States Marshall Service
Salaries and Expenses
Violent Crime Reduction Program
Program Performance Information

	Perm. Pos.	FTE	Amount
Violent Crime Reduction Program			
1996 Appropriation Anticipated	167	119	\$25,000
1997 Base	41	41	5,542
1997 Estimate	41	41	\$25,472
Increase/Decrease	...	...	\$19,935

BASE PROGRAM DESCRIPTION: The Violent Crime Reduction Trust Fund is the result of a cooperative approach taken by the Administration and the Congress to address the country's significant violent crime problem. The Fund is a result of legislation that sets up a comprehensive approach for correcting the problem. All levels of government will participate in a concerted effort to reduce violent crime throughout the country. Federal law enforcement and judicial resources will provide significant assistance to the State and local efforts.

The Marshall Service will see the results of these initiatives as additional prisoners face Federal charges as a result of the provisions of the Comprehensive Crime Control Act of 1994 and as others are arrested as a result of Task Forces targeting violent criminal activities.

PROGRAM CHARGES.

Support and Administration of Courthouse Construction Projects

An increase in funding is requested to ensure that new and renovated Federal courthouses can open on schedule, and properly function with adequate security. The Marshals Service requests \$19,360,000 for communications, security equipment and furniture at 191 courthouses that either: 1) will open in 1997; 2) will have opened by 1997, but required continuing work in 1997; or 3) will open after 1997, but require funding in 1997 in order to meet construction schedule. The requested funding will permit the USMS to equip these 191 courthouses for operation and provide efficient and safe working environments for the USMS employees.

Specifically, these funds will purchase and install electronic security equipment, phone systems, radios and other office equipment, and pay rent increases. In addition, phone line charges are requested for the new systems. These costs are based on an evaluation of the specific requirements of the new space. Also included are requests for furniture for USMS office space at these courthouses. These estimates are based on standardized furniture costs that take into account whether modular or traditional furniture will be used.

Court Security Equipment

The Marshals Service requests \$975,000 for equipment to replace obsolete and inadequate technology with state-of-the-art security equipment, which will allow for less intensive manpower support of vulnerable areas during the Federal Judiciary and court proceedings. The specific increases are for portable anti-intrusion devices and to support a pilot project which uses a central station for monitoring all USMS alarm systems.

Of this request, \$325,000 is to purchase 10 portable anti-intrusion devices which will be used for judicial security details. Use of this type of portable security equipment will allow the USMS to perform a more effective and efficient search of the court facilities in a shorter period of time. The resources currently available for monitoring illegal listening devices or intrusions into judicial areas are no longer sophisticated enough to cope with the types of

equipment currently available. The lack of this state-of-the-art equipment limits the ability of the USMS to assure a secure environment (i.e., prevent electronic eavesdropping) and, thus, ensure the personal protection of the members of the judiciary.

This equipment also will allow the USMS to conduct electronic sweeps of all court-related facilities, including furniture, electric and telephone lines, communications equipment and computers. Sweeps are conducted prior to trials and hearings involving top secret information, as well as at the residences of judicial officials during protective details.

In addition, \$250,000 is requested to fund the initial phase of a pilot project creating a central station for monitoring all USMS alarm systems. This project will be piloted in ten districts around the country. No changes at the protected sites would be required, except the reprogramming of the central station telephone number to be called. In addition, this facility would be capable of accepting transmissions from judicial off-site (residential) security systems. With the exception of central station receivers, no additional equipment would be required.

This pilot was developed in response to a GAO report on judicial security, which recommended there be some off-site security for the judiciary. Therefore, it will be available for the off-site protection of judges who are under special protection because of specific threats, as well as for monitoring courthouse alarms. Should the pilot prove to be as effective as anticipated, it will be expanded to include all courthouses.

Currently, courthouse alarm systems are monitored by civilian monitoring services. While this is workable, the proposed system would link courthouse alarms to a central facility (in this case the USMS headquarters) and allow for the immediate response of the USMS, rather than the current delay created by the need for one or more intermediaries. The project also assumes that the USMS will eventually have remote access to the video systems of all Federal court facilities, which will allow for the viewing of potential crisis situations as they are developing.

[illegible]

United States Marshals Service
Violent Crime Reduction Programs
Summary of Annual Law Enforcement and Support Positions
(Values in Thousands)

Appropriated Positions	1996 Appropriation Anticipated						1997 Program Increases						1997 Request Level *					
	Law Enforcement			Non-Law Enforcement			Law Enforcement			Non-Law Enforcement			Law Enforcement			Non-Law Enforcement		
	Pos.	FTE	Pct.	Pos.	FTE	Pct.	Pos.	FTE	Pct.	Pos.	FTE	Pct.	Pos.	FTE	Pct.	Pos.	FTE	Pct.
Decision Unit	137	104	30	18	117	119	137	104	30	18	117	119	137	104	30	18	117	119
Protection of the Judicial Process
National Prisoner Transportation
Fugitive Apprehension
Seized Assets Management
D.C. Superior Court
Service of Legal Process
Training
ADP/IT Communications
Management and Administration
TOTAL	137	104	30	18	117	119	137	104	30	18	117	119	137	104	30	18	117	119

* 1997 includes annualization of one FTE

Reimbursable Positions	1996 Appropriation Anticipated						1997 Program Increases						1997 Request Level *					
	Law Enforcement			Non-Law Enforcement			Law Enforcement			Non-Law Enforcement			Law Enforcement			Non-Law Enforcement		
	Pos.	FTE	Pct.	Pos.	FTE	Pct.	Pos.	FTE	Pct.	Pos.	FTE	Pct.	Pos.	FTE	Pct.	Pos.	FTE	Pct.
Decision Unit
Protection of the Judicial Process
National Prisoner Transportation
Fugitive Apprehension
Seized Assets Management
D.C. Superior Court
Service of Legal Process
Training
ADP/IT Communications
Management and Administration
TOTAL

United States Marshall Service
Violent Crime Reduction Programs
Summary of Changes
(Dollars in Thousands)

1986 As Enacted			
1986 Appropriation Anticipated			
Adjustments To Base:			
Transfer Of Base Funding From VCRR To Direct			
Mandatory Increases:			
1987 Pay Rates			
1986 Locality Pay Adjustment			
1987 Locality Pay Adjustment			
Annualization Of 1986 Pay Rates			
Annualization Of 1986 Positions			
General Price Level			
Total Increases			
Decreases:			
Non-recurring non-personnel costs for court houses			
Total, decreases			
1987 Base			
Program Changes			
1987 Estimate			

Form	Page	NYs	Amount
187	119		25,000
187	119		25,000
(126)	(79)		(2,000)
...	...		31
...	...		93
...	...		4
...	...		16
...	...	1	...
...	...	...	24
...	...	1	142
...	...	...	(11,100)
...	...	...	(11,100)
41	41		6,242
...	...		18,000
41	41		25,477

United States Marshalla Service
Violent Crime Reduction Program
Justification of Adjustments to Base
(Dollars in thousands)

	Pos.	NY	Amount
	(126)	(79)	(\$8,500)

Transfer of base funding from VCRP to Direct.....

Mandatory increases:

1. 1997 pay raise and locality pay adjustment.....	40
--	----

This request provides for the proposed 3.0 percent pay raise and locality pay adjustment to be effective in January of 1997 and is consistent with Administrative policy included in the 1997 President's budget request.

2. Annualization 1996 locality pay adjustments.....	5
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This adjustment represents the 1st quarter amounts of the locality pay increase received January 1996, plus appropriated personnel benefits.

3. Annualization and increase of 1996 pay raises.....	13
---	----

This pay annualization represents first quarter amounts (October through December) of the 1996 pay increase of 2.4 percent, plus appropriate personnel benefits and the additional amount required above the 2.2 percent originally requested for the three-quarters of the year.

Pos.	NY	Amount
4. Annualization of one additional position approved in 1996.....	1	...
This provides for the annualization of one additional position approved in the 1996 President's Budget for the Protection of the Judicial Program.		
5. General Price Level Adjustment.....	84	84
This request applies OMB pricing guidance as of June 11, 1995, to selected expense categories. The increased costs identified result from applying a factor of 3.1 percent against those subject classes where the prices that the Government pays are established through the market system instead of by law or regulation. Generally the factor is applied to supplies, materials, equipment contracts with the private sector, printing costs, transportation and utilities.		
Total mandatory increases.....	1	142
Decreases:		
Nonrecurring costs for Courthouse Projects.....	111,100	111,100
This decrease is to remove one-time expenses for the purchase of equipment for new employees authorized to ensure that new renovated Federal court-houses can open on schedule.		
Total decrease.....	...	(11,100)
Total, adjustment to base.....	(78)	(19,458)

780

United States Marshall Service
United States Probation Program
Summary of Positions by Grade and Client Class
(Dollars in Thousands)

	1988 Actual	1988 Estimate	1987 Request	Increase/Decrease
	Position & Maintenance	Position & Maintenance	Position & Maintenance	Position & Maintenance
Grade and salary ranges				
GS-12, \$41,528-54,408
GS-11, \$34,881-45,473
GS-10, \$27,538-41,368
GS-9, \$20,913-37,688
GS-8, \$16,175-34,033
GS-7, \$12,834-30,728
1987 Pay
1987 Pay Rate and Locality Pay
Total, requested positions
Pay above stated annual rates
Leave
Savings due to lower pay scales for part of year
Net full-time personnel
Other full-time personnel
Temporary employment
Other part-time and intermittent employment
Other personnel compensation
Overtime
Law Enforcement Availability Pay
Other
Total, requested positions
Total, positions and personnel compensation
Average GS Salary
Average GS/OM Salary
Average GS/OM Grade
Average Ungraded Salary

United States Marshall Service
Violent Crime Reduction Program
Summary Of Requirements By Credit And Obligor Class
(Dollars In Thousands)

	1996 Actual Workyears	Amount	1996 Estimate Workyears	Amount	1997 Request Workyears	Amount	Increases/Decreases Workyears	Amount
Credits And Salary Ranges								
11.1 Full Time Permanent	119	4,482	41	1,567	(78)	(2,915)
11.3 Other Than Full-Time Permanent
11.5 Other Personnel Compensation	31	1,623	7	366	(24)	(1,257)
11.6 Special Personnel Services Payments	217	...	...	...	(217)
Total Workyears	0	0	150	6,322	48	1,933	(102)	(4,389)
12 Personnel Benefits	2,495	...	822	0	(1,673)
21 Travel And Transporting Of Persons	2,111	...	600	0	(1,511)
22 Transportation Of Things	413	...	131	0	(282)
23.1 GSA Rent	1,096	...	3,947	0	2,851
23.3 Communications, Utilities And Misc. Charges	503	...	201	0	(302)
24 Printing And Reproduction	49	...	17	0	(32)
25.2 Other Services	2,072	...	990	0	(1,082)
25.3 Purchases From Government Accounts	217	0	217
26 Supplies And Materials	1,990	...	3,818	0	1,828
31 Equipment	8,098	...	12,812	0	4,714
Total Obligations	0	0	150	25,098	48	25,477	(102)	379
Unobligated Balance Start Of Year
Unobligated Balance End Of Year
Unobligated Balance Expiring
Total Requirements	0	0	150	25,098	48	25,477	...	...
Relation Of Obligations To Outlays:								
Total Obligations	25,098	...	25,477	...	...
Obligated Balance, Start Of Year	25,000	...	25,477	...	...
Obligated Balance, End Of Year	2,500	...	...
Adjustments In Expired Accounts	(2,500)	...	(2,549)	...	...
Outlays	22,500	...	22,928	...	2,428

Department of Justice
United States Marshal Service
Federal Prisoner Detention Program
Estimate For Fiscal Year 1997

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United States Marshall Service
Federal Prisoner Detention Program

Summary Statement

Fiscal Year 1997

For 1997, a total of \$405,262,000 is requested for the Federal Prisoner Detention Appropriation for Care of U. S. Prisoners to pay for the support, housing and self-sustaining of federal prisoners in United States Marshall Service (USMS) custody. This request will provide the resources to fund 6,104,957 Intergovernmental Agreement (IGA) and contract jail days.

The USMS is responsible for administering the Federal Prisoner Detention (FPD) Program for the federal government. This account is charged with housing the 17th largest correctional population in the United States. Accordingly, the FPD account is responsible for obtaining adequate housing, subsistence, medical care, and hospital and detention facility guard service for federal prisoners in the custody of the USMS. This detention bedspace is acquired at the least expensive cost to the federal government, through current Intergovernmental Agreements (IGAs); as the result of previously negotiated Cooperative Agreements with state and local governments; at federal detention facilities; or in private jail facilities. Acquiring this detention bedspace has posed an increasing challenge to the USMS due to the nationwide lack of available detention space. The issue of detention space has become a high risk area of managerial concern.

This budget request for the Federal Prisoner Detention Program, which takes into account federal jail space available by 1997, is the result of multi-component planning within the Department of Justice. Since 1984, the USMS has experienced an unprecedented growth in both population and jail day levels. During this period, the USMS average population has increased by 327 percent, from 5,383 in 1984 to approximately 23,000 in January, 1996.

Legal Activities

Federal Prisoner Detention

Justification of Proposed Changes in Appropriation LanguageFederal Prisoner Detention

For expenses, not otherwise provided for in appropriations available to the Attorney General, for support of Federal prisoners in the custody of the United States Marshal Service, as authorized by 18 U.S.C. 4013, 4005, 562, to remain available until expended: Provided, That, this appropriation hereafter shall not be available for expenses authorized under 18 U.S.C. 4013 (a)(4), 18 U.S.C. 4001-4003, 4006-4009, 4013, 4042, 4082, 4085-4086, 4125, 4282-4283, 4285, 5040, 28 U.S.C. 561

Note -- A regular 1996 appropriation for this account had not been enacted at the time this budget was prepared. The 1996 accounts included in this budget are based on the levels provided in three continuing resolutions: P.L. 104-91, P.L. 104-92, and P.L. 104-99.

United States Marshals Service
Federal Prisoner Detention Program
Consolidated FY 1998 Changes
(Dollars in Thousands)

Activity/Program	1998 As Enacted	1998 Conference Action	Reprogrammings	Available Prior Year Funds	1998 Anticipated Availability
Care of U.S. Prisoners	\$282,828	9,689	----	72,811	\$334,331

United States Marshals Service
Federal Prisoner Detention Program
Justification Of Program and Performance

	1996 Availability	1997 Base	1997 Estimate	Increase/Decrease
Care of U.S. Prisoners	\$935,331	\$920,592	\$405,262	\$76,710

LONG-RANGE GOAL: To care for Federal prisoners in the custody of the United States Marshals Service (USMS) at a level which meets nationally accepted standards for detention or holding facilities.

MAJOR OBJECTIVES:

To provide adequate housing and subsistence for all Federal prisoners remanded to the custody of the U.S. Marshals Service.

To obtain adequate detention space for prisoners in Marshals Service custody.

To enter into long-term detention space agreements with State and local governments.

To acquire detention space as close as possible to the Federal courthouse in order to minimize travel time, staff resources, and risk to deputy U.S. Marshals, prisoners, and the general public.

BASE PROGRAM DESCRIPTION: The Care of United States Prisoners Program is responsible for providing adequate housing, subsistence, medical care, and hospital and detention facility guard service for Federal prisoners in the custody of the United States Marshals Service. Detention of unsentenced Federal prisoners is accomplished through coordination with Federal detention facilities, Intergovernmental Agreements with State and local detention facilities, and a private jail facility located at Leavenworth, Kansas.

ACCOMPLISHMENTS AND WORKLOAD

Item	Estimates			
	1994	1995	1996	1997
1. Total Jail Days	6,830,791	7,444,774	8,090,059	8,934,101
a. IGA and Contract Jail Days	4,403,082	4,814,920	5,366,389	6,104,957
b. Federal Jail Days	2,514,973	2,629,854	2,723,670	2,829,144
2. Average Jail Day Rate	\$54.08	\$54.75	\$57.49	\$60.36

This account is affected by several factors: arrest rates, number of prisoners, increase in the average length of stay, increase in jail rates (often influenced by competition at the state and local level for jail beds), and medical costs. The number of prisoners and length of stay affects the number of jail days used annually. The number of jail days will continue to increase as more and more prisoners stay longer periods in USMS custody. 1997 funding will provide for mandatory increases of \$12,008 jail days at the 96 rate of \$57.49 for \$46,680,288 and a rate change of \$2.87 or \$15,425,014 to establish the 1997 required base.

The required program increase of \$76,710,000 will provide increased funding of \$10,000,000 specific to Southwest Border requirements and will provide for 165,667 jail days, and \$66,710,000 for costs in support of an additional 572,900 jail days. The net effect of increasing the base along with the programmatic increase of \$76,710,000 will fund the program to the level required to meet the expected 1997 jail day requirements.

Throughout the 1980s and into the early 1990s, the detention population and associated jail beds required to house these prisoners grew at an unprecedented rate as demonstrated in the chart below:

Fiscal Year	Average Prisoner Population	IGA And Contract Jail Days
1983	116	81
1984	78	78
1985	198	138
1986	148	148
1987	-18	68
1988	228	298
1989	338	268
1990	148	208
1991	218	148
1992	208	318
1993	18	68
1994	-28	-68
1995	78	98

For a period of two years, the Federal detention population stabilized after more than a decade of unprecedented growth. For the past year (January, 1995 through January, 1996) the detention population and associated jail days have increased substantially. In fact, recent jail day levels for October, November and December reflect increases of 19.6%, 21.9% and 20.7% over the same timeframe as last year. This is quite significant to the account because any dramatic and sustained increase in the USMS's prisoner population could require millions of dollars in additional jail costs. Increases in the detention population also drive an increase in personnel resources to support the additional workload in areas such as prisoner population for court and prisoner transportation.

Data from the Administrative Office of the U.S. Courts (AOUSC) indicate that the median time from indictment to sentencing for felony defendants increased from 5.8 months in 1991 to 6.5 months in FY 1994. Additionally, this does not take into account the approximately 30 days a defendant spends in USMS custody between arrest and indictment. Although only limited data is available on the final phase of the process, additional time, approximately one to one and a half months, must be spent in USMS custody following sentencing until a prisoner reaches his designated Federal facility. Since 85 percent of all Federal criminal cases filed lead to a conviction, the time prisoners spend in USMS custody can be quite extensive, lasting approximately nine months. The fact that prisoners are experiencing longer detention periods has a dramatic impact on the Federal Prisoner Detention appropriation, as this increases the number of jail days needed to house these prisoners, resulting in increased jail day costs.

It is important to note that law enforcement initiatives cannot be completely effective without first considering the impact on jail space requirements and actual jail space availability. Since the USMS, like the Bureau of Prisons, is at

the receiving end of Federal law enforcement initiatives, these jail days are uncontrollable and are truly a mandatory program increase.

The USMS has taken a proactive approach to reduce detention costs, solve detention issues, and predict future workload by:

- 1) working closely with the Bureau of Prisons and United States Probation Offices to expedite the designation process;
- 2) more aggressively negotiating competitive intergovernmental agreement rates with state and local governments housing our prisoners;
- 3) coordinating with our counterparts at other administration of justice entities, such as the U.S. Attorneys and the Administrative Office of the U.S. Courts, to solve related detention issues;
- 4) reviewing medical costs and implementing cost containment strategies for reducing prisoners' medical bills;
- 5) working with our state and local counterparts and the Federal Judiciary to obtain critically needed bedspace; and
- 6) coordinating with the U.S. Attorneys in an attempt to predict future prisoner population.

PROGRAM CHANGES:

	1997 Base	1997 Estimate	Increase/Decrease
Care Of U.S. Prisoners	\$320,552	\$405,262	\$76,710

With approximately a 14% projected increase in jail days, the funding increase of \$66,710,000 is required to support the projection. Given the current environment for detention space needs, a 14% increase in jail days is reasonable. In recent months the USMS has gone from an average of 19,000 a day in custody to approximately 23,000 detainees a day. A portion of the requested amount is necessary to fund a base requirement restoration. In the past, carryover from previous fiscal years has been used to support base jail day usage. FY 1996 was reduced to the point that the total jail days were covered, but there was no carryover into FY 1997. This created a situation where 1997 base jail day requirements are not fully funded. The current FY 1996 Anticipated Appropriation of \$261,820,000 will only provide for 4,554,381 jail days. To get to the same level of 1996 jail days during FY 1997, additional funding of \$46,680,266 at the FY 1996

rate is required. Projecting an estimated required increase in the rate of \$4 over 1996 into 1997 also necessitates additional funding of \$15,425,014. Therefore, FY 1997 jail days at the same level as FY 1996 would cost \$223,925,302. After adding other base funding costs (medical, guards, and miscellaneous) of \$36,755,352, 1997 base costs are \$260,680,654. To restore this program to the 1996 base jail day level requires \$2,128,654 at the 1997 rate of \$60.36 for 35,288 jail days. The balance of the program increase of \$34,581,346, funds an additional 572,900 jail days at the 1997 rate.

Due to the success of Operation Gatekeeper, the U.S. Attorney for the Southern District of California has been assigned overall responsibility for coordinating the expansion of this prosecutorial effort into the other four districts bordering Mexico. The USMS districts in Arizona, New Mexico, and Southern and Western Texas are already experiencing an increased workload because of this initiative.

An example of the impact prosecutorial initiatives can have on the Federal Prisoner Detention Program is the recently implemented Immigration initiative called "Operation Gatekeeper". Funding of \$10,000,000 will provide for requirements in support of the Southwest Border initiative. This initiative is expected to result in the arrest of approximately 250 aliens per month in California and an additional 125 criminal aliens per month along the remaining southwest border districts. As a result, the USMS is in the "catch up" mode and must develop contingency plans for the Southern District of California and (SD/CA) and assess the detention space along the remaining southwest border districts. Since the start of this program the prisoner population levels along the southwest border have grown significantly. The detainee population in the Southern District of California has grown 62 percent from October, 1994 to December, 1995; the detainee population in Arizona is up 67 percent from October, 1994 to December, 1995. Clearly, this initiative will continue to have a substantial impact on the the USMS's detainee population and prisoner transportation requirements as this initiative expands along the southwest border.

United States Marshall Service
Federal Detention Program
Justification of Adjustments to Base
(Dollars in Thousands)

	Perm. Pos.	Work- years	Amount
<u>Transfers to and from other accounts</u>			
1. Transfer from Working Capital Fund	0	0	\$ 9,000
<u>Increases (Automatic, non-policy)</u>			
1. Direct Adjustments to Base	-0	-0	\$5,732
<p>For a period of two years (1993-1994), the federal detention population stabilized after more than a decade of unprecedented growth. Because this stabilization led to larger than normal surpluses at the end of each year, Congressional actions reduced the base appropriations commensurately.</p> <p>At the end of FY 1995, the federal detention population again began to grow. By the end of FY 1996, the prior year funding surpluses will have been exhausted and the Federal Prisoner Detention appropriation will begin FY 1997 with a substantially lower funding level than it had in FY 1996. The significant increase requested in base resources will fund the number of jail days used in FY 1996, will fund the existing jail days at the anticipated higher rate, and fund a modest increase of other related costs.</p>			
Total increases	0	0	75,732

United States Maritime Service
Federal Personnel Detention Program
Summary Of Requirements By Object Class
(Dollars In Thousands)

Object Class	1996 Actual		1996 Enacted		1997 Estimate		Increase/Decrease	
	Workyears	Amount	Workyears	Amount	Workyears	Amount	Workyears	Amount
11.8 Special Personal Services Payments.....	...	3,990	...	4,316	...	4,422	...	108
12 Civilian Personnel Benefits.....	...	66	...	82	...	97	...	15
25 Other Services.....	...	294,864	...	330,833	...	400,743	...	69,910
26 Supplies and Materials.....	...	0	...	0	...	0	...	0
41 Grants, Subsidies and Contributions.....	...	0	...	0	...	0	...	0
Total Obligations.....	...	298,919	...	335,231	...	465,262	...	127,031

Department of Justice
Fees and Expenses of Witnesses
Estimates for Fiscal Year 1997

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Summary Statement
Fees and Expenses of Witnesses

For the Fees and Expenses of Witnesses (FEW) appropriation, the Department requests a total funding level of \$102,702,000 for 1997 to remain available until expended. The requested funding level is for current services and will be augmented with unobligated balances brought forward from prior years.

The Fees and Expenses of Witnesses activity provides for all fees and expenses associated with the provision of testimony on behalf of the Government. Specifically, there are two types of witnesses that are compensated under the provisions of this activity. Fact witnesses testify as to events or facts about which they have personal knowledge. These witnesses are paid a statutorily established rate of \$40 per day plus reasonable amounts for travel and certain other costs associated with their appearance. Expert witnesses provide technical or scientific testimony and are compensated based on negotiations with the respective government attorney. Such negotiations are conducted within the scope of prescribed fee ranges as provided in DOJ Order 2110.43. Funding allocated to this activity is also used to pay the fees of physicians and psychiatrists who examine accused persons upon order of the court to determine their mental competency.

The Protection of Witnesses activity provides for the security of Government witnesses, or potential Government witnesses, and their families when their testimony, concerning organized criminal activity, may jeopardize their personal security. This program provides funding for expenses of witnesses enrolled in the Witness Security Program. Such expenses include, but are not limited to, subsistence, housing, medical and dental care, travel, documentation, identity changes, one-time relocation, costs associated with obtaining employment, and other miscellaneous expenses.

The Victim Compensation Fund was established by Section 1208 of the Comprehensive Crime Control Act (Title II of P.L. 98-473). The Fund is used by the Attorney General to "pay restitution to, or in the case of death, compensation for the death of any victim of a crime that causes or threatens death or serious bodily injury and that is committed by any person during a period in which that person is provided protection under this chapter." In the case of death, an amount not to exceed \$50,000 may be paid to the victim's estate. Moreover, the act authorizes payment of an amount not to exceed \$25,000 to the estate of any individual whose death was caused by a protected witness before the enactment of this law.

The Private Counsel activity was established under 28 C.F.R. 50.15 and 50.16, whereby, the Civil Division is authorized to retain private counsel to represent Government officers and employees who are sued for actions taken while performing their official duties.

The D.C. Superior Court Informant Program (SCIP) was established upon passage of the 1991 Dire Emergency Supplemental Appropriations Act. Unlike the Witness Security program, which provides permanent relocations and identity changes, the SCIP provides temporary relocation and protective services to witnesses who provide prosecution testimony in D.C. Superior Court cases.

The Alternative Dispute Resolution (ADR) program is newly proposed for 1997¹. Funding provided to this program will allow the Department to implement an Attorney General order to begin using various ADR procedures to handle civil litigation. Specifically, program funding will be used to hire ADR professionals to serve as "neutrals" or arbitrators in civil disputes. Unlike funding provided for the other programs of the FEM appropriation, funding requested for the ADR program will be scored against discretionary ceilings.

¹ Separately, the Department will transmit the necessary notification materials to the appropriate Congressional committees.

Fees and Expenses of Witnesses

Justification of Proposed Changes in Appropriation Language

The 1997 budget estimates include proposed changes in the appropriation language listed and explained below. New language is underscored.

Fees and Expenses of Witnesses

For expenses, mileage, compensation, and per diem of witnesses, for expenses of contracts for the procurement and supervision of expert witnesses, for private counsel expenses, and for per diem in lieu of subsistence, as authorized by law, including advances, \$102,702,000, to remain available until expended, of which not to exceed (1) \$4,750,000 shall be available for planning, construction, renovation, maintenance, remodeling and repair of buildings and the purchase of equipment incident thereto for protected witness safesites; (2) \$1,000,000 shall be available for the purchase and maintenance of armored vehicles for transportation of protected witnesses; (3) \$4,000,000 shall be available for the purchase, installation and maintenance of a secure, automated information network to store and retrieve the identities and locations of protected witnesses; and (4) \$2,000,000 shall be available for Alternative Dispute Resolution.

15 U.S.C. 503(b), 5537, 5751; 18 U.S.C. 3495-96, 3525, 4201, 4241, 4242; 28 U.S.C. 524, 1783, 1821, 1825, 1915, 1922.]

Note: A regular 1996 appropriation for this account had not been enacted at the time this budget was prepared. The 1996 amounts included in this budget are based on the levels provided in three continuing resolutions: P.L. 104-91, P.L. 104-92, and P.L. 104-99.

Fees and Expenses of Witnesses

Crosswalk of 1996 Changes
(in thousands of dollars)

Activity/Program	1996 President's Budget Request	Congressional Appropriation Actions on the 1996 Request	Reprogramming	1996 Appropriation Anticipated
1. Fees and Expenses of Witnesses.....	\$61,250	...	...	\$61,250
2. Protection of Witnesses	22,550	...	...	22,550
3. Victim Compensation Fund.....	0	...	...	0
4. Private Counsel.....	1,200	...	...	1,200
5. Superior Court Informant Program....	0	...	...	0
Total	85,000	...	...	85,000

Legal Activities
Fees and Expenses of Minnesota
Summary of Requirements
(In thousands of dollars)

Adjustments to Base:						
1996 Conference Allowance.....						\$85,000
1996 Appropriation Anticipated.....						85,000
Increases (automatic, non-policy).....						15,702
1997 Base.....						100,702
Program Changes (See narrative for details).....						2,000
1997 Estimate.....						102,702
Estimates by Budget Activity						
	1995	1995	1996	1997	1997	Increase/ Decrease
	Enacted	Actual	Appropriation Anticipated	Base	Estimate	
1. Fees and Expenses						
of Witnesses.....	\$46,975	\$56,240	\$61,250	\$64,217	\$64,217	...
2. Protection						
of Witnesses.....	25,000	26,752	22,550	32,485	32,485	...
3. Victim Compensation						
Fund.....	0	0	0	0	0	...
4. Private Counsel.....	1,100	595	1,200	2,600	2,600	...
5. Superior Court						
Informant Program..	1,400	642	0	1,400	1,400	...
6. Alternative Dispute						
Resolution ¹	0	0	0	2,000	2,000	\$2,000
Total.....	74,475	84,229	85,000	100,702	102,702	2,000

¹ Actual obligations in excess of Enacted Budget Authority were funded with unobligated balances carried forward from previous years.

² The Alternate Dispute Resolution line item is new. Separately, the Department will transmit the necessary notification materials.

Legal Activities
Fees and Expenses of Witnesses
Program Performance Information
Activity Resource Summary
(In thousands of dollars)

Activity: Fees and Expenses of Witnesses

	Perm.	FTE	Amount
	Pos.		
1996 Appropriation Anticipated	...	...	\$61,250
1997 Base	...	...	64,217
1997 Estimate	...	...	64,217

Mission: To continue to provide adequate funding for payment of fees and related expenses incurred by individuals who provide factual, technical or scientific testimony on behalf of the United States or court designated indigent individuals, as provided by law. Funds provided for this activity also guarantee the right of accused persons to a fair and impartial trial by ensuring that the accused is mentally competent to stand trial and that the court has testimony regarding the mental competency of the accused at the time of the alleged offense.

Organizational Goals:

To provide reasonable compensation for expert witnesses, who testify on behalf of the United States, at rates established by the Attorney General or the Assistant Attorney General for Administration, pursuant to 28 U.S.C. 524.

To provide adequate resources to compensate fact witnesses who testify on behalf of the Federal Government for the expenses associated with the attendance at legal proceedings. The court-attendance fee paid to fact witnesses is set by law (28 U.S.C. 1821). As a result of Public Law 96-346 (September 10, 1980), the amounts authorized for travel, per diem and mileage are set by regulations governing official travel by federal employees and promulgated by the Administrator of the General Services Administration.

To provide adequate resources to compensate fact witnesses used by those defendants designated as indigent by the courts. Expenses are paid to those witnesses who appear in criminal proceedings in federal court for the indigent defendants.

To provide payment for the fees and expenses of psychiatrists who perform court-ordered evaluations to determine the mental competency of defendants, pursuant to 18 U.S.C. 4241 and 4242.

Base Program Description: This program provides for payment of fees and expenses of expert witnesses who appear on behalf of the government when scientific or technical expertise is required in the prosecution or defense of a case. The pursuit of complex litigation by the Department would not be possible without qualified experts to testify and to refute the non-legal particulars of individual cases. The testimony of expert witnesses is essential to the successful outcome of such litigation. While a wide array of specialized disciplines are involved in the Department's litigation, experts from certain disciplines are used extensively. For example, approximately sixty percent of expert witnesses used by the Department in 1989 were either physicians, psychiatrists, appraisers, engineers, or economists. Also, the testimony of fact witnesses is used in court proceedings by the Department's legal divisions and the U.S. Attorneys. Fact witnesses are needed in a wide range of court proceedings, as well as pre-trial conferences. Fees and expenses paid to fact witnesses are intended to defray the costs of appearing to testify and are set by law and/or regulation. Further, the importance of this program is underlined by the need to protect the rights of accused individuals. Courts often order the government to pay the costs associated with mental competency examinations conducted by physicians or psychiatrists. These examinations are performed in an attempt to determine whether an accused person is mentally competent to stand trial and/or was mentally competent at the time of the offense.

Legal Activities
Justification of Program and Performance
Activity Resource Summary
(In thousands of dollars)

Activity: Protection of Witnesses

	Perm.	FTE	Amount
1996 Appropriation Anticipated	\$22,550
1997 Base	32,485
1997 Estimate	32,485

Mission: To increase the effectiveness of the Department's efforts to combat criminal activity in such areas as organized crime, drugs or narcotics, and murder or conspiracy to commit murder, by ensuring the safety of endangered or threatened witnesses.

Organizational Goals:

To protect witnesses and their families when the testimony of the witnesses may jeopardize their personal security.

To compensate witnesses for subsistence costs such as housing, food, relocation, and incidental expenses as provided by the Witnesses Security Reform Act of 1984.

To provide orientation, documentation and family-oriented services to new WITSEC Program entrants.

Base Program Description: The procedure for designating a person as a protected witness is set forth in Department of Justice OAD Order 2110.2 "Witness Protection and Maintenance Policy and Procedures." This order places within the U.S. Marshals Service the responsibility for the security of these witnesses and their families. This program provides for their financial maintenance including the following: subsistence expenses; housing; medical and dental expenses; travel; documentation expenses for identity changes; one-time relocation; costs for obtaining employment; and other miscellaneous expenses. This activity also provides for construction and maintenance of strategically located safe-site facilities to house protected witnesses before and during trial.

Local Activities
Fees and Expenses of Witnesses
Program Performance Information
Activity Resource Summary
(In thousands of dollars)

Activity: Victim Compensation Fund

	Perm. Pos.	FTE	Amount
1996 Appropriation Anticipated	\$0
1997 Base	0
1997 Estimate	0

Mission: To pay restitution, or in the case of death, compensation for the death, to any victim of a crime committed by a protected witness that results in death or serious bodily injury.

Organizational Goal: To provide compensation to those individuals, or, in the case of death, to the individual's estate, who are victimized by a protected witness.

Base Program Description: This program provides resources to compensate individuals who are victimized by protected witnesses. Section 1208 of the Comprehensive Crime Control Act of 1984 (Title II of P.L. 98-473), enacted October 12, 1984, authorized annual appropriations not to exceed \$1,000,000 for the Victim Compensation Fund. The Fund was initially funded by the 1985 Supplemental Appropriations Act (P.L. 99-88).

Restitution will not exceed \$50,000 for those victimized since the establishment of the Fund. Restitution not to exceed \$25,000 shall be paid to the estate of victims killed as a result of crimes committed by persons who have been enrolled in the Witness Security Program if such crimes were committed prior to enactment of P.L. 98-473.

Legal Activities
Fees and Expenses of Witnesses
Program Performance Information
Activity Resource Summary
(In thousands of dollars)

Activity: Private Counsel

	Perm.	ETE	Amount
	Pos.		
1996 Appropriation Anticipated	\$1,200
1997 Base	2,600
1997 Estimate	2,600

Mission: To continue to defend Federal employees personally sued for carrying out official duties.

Organizational Goal: To retain private counsel to represent Government officers and employees who are sued for actions taken while performing their official duties.

BASIS PROGRAM DESCRIPTION: This activity provides funding to allow the Department to retain outside private counsel to represent government officers and employees who are sued for actions taken while performing their official duties. As provided for under 28 C.F.R. 50.15 and 50.16, the Civil Division is delegated the authority to retain such counsel and further provided that payments for such services will be payable from the Department of Justice appropriations.

Legal Activities
Fees and Expenses of Witnesses
Program Performance Information
Activity Resource Summary
(In thousands of dollars)

Activity: Superior Court Informants

	Perm. FTE	Amount
1996 Appropriation Anticipated
1997 Base	...	\$1,400
1997 Estimate	...	1,400

Mission: To increase the effectiveness of Federal prosecutions in the District of Columbia by providing funding to temporarily relocate D.C. Superior witnesses who face potential danger as a result of their participation in Superior Court prosecutions.

Organizational Goals:

To provide funding to temporarily protect Superior Court witnesses and their families when the testimony of the witnesses may jeopardize their personal security.

To compensate Superior Court witnesses for subsistence costs such as food, temporary relocation, and other expenses incidental to their protection.

Base Program Description: This program provides for funding for the protective services offered to D.C. Superior Court witnesses. Specifically, funding is provided for subsistence expenses; travel; temporary relocation; and other miscellaneous expenses. Funding in 1996 was provided from available balances.

Legal Activities
Zeas and Expenses of Minnesota
Program and Performance Information
Activity Resource Summary
 (in thousands of dollars)

Activity: Alternative Dispute Resolution (ADR)

	Perm.	FTE	Amount
	Foll.		
1996 Appropriation Anticipated	...	...	...
1997 Base	...	...	...
1997 Estimate	...	...	\$2,000

Mission: To enhance the public's access to the Federal justice system by reducing delays associated with Government litigation.

Organizational Goals: To give the Department's front-line attorneys flexibility in handling civil litigation and to produce better, more comprehensive long-term resolutions.

Base Program Description: This is a new program area proposed for implementation in 1997. Separately, the Department will transmit, to the appropriate Congressional committees, the necessary notification materials.

On April 6, 1995, the Attorney General signed a Department Order that requires each civil litigating component to develop case selection criteria and a policy statement on ADR. The Order also directs each component to develop training programs which will introduce litigators to a broad range of ADR processes. In order to allow its attorneys the opportunity to begin using these newly acquired assets, the Department seeks an increase of \$2,000,000 to hire ADR professionals.

Most ADR professional charge between \$200 and \$300 per hour for Government work. On average, cases funneled through ADR can be resolved in two to four sessions lasting eight hours each. Thus, the requested funding level would allow the Department to use ADR in a minimum of 200 cases, or in as many as 625 cases.

Legal Activities
Fees and Expenses of Witnesses
Justification of Adjustments to Base
(In thousands of dollars)

	<u>Amount</u>
Adjustments to Base:	
1. <u>Witness Expenses</u>	\$2,967
This additional funding is requested to maintain the level of expert witness usage projected for 1995. Specifically, the request reflects an estimated need for approximately 3,710 expert witnesses, compared to slightly more than 3,200 used in 1995.	
2. <u>Witness Protection Expenses</u>	9,935
This additional funding is requested to allow the Department to handle a growing population of active participants in the Witness Protection Program.	
3. <u>Private Counsel Expenses</u>	1,400
This increase is requested to allow the Department to fund anticipated workload in this area.	
4. <u>Witness Protection Expenses</u>	1,400
This increase is needed to maintain the short-term witness protection activity at a current services level. Because of increasing unobligated balances, this activity was "zeroed out" in the 1996 President's Budget Request. This request restores the program's base funding.	
Total adjustments to base.....	15,702

Legal Activities
Fees and Expenses of Witnesses
Summary of Requirements by Object Class
(In thousands of dollars)

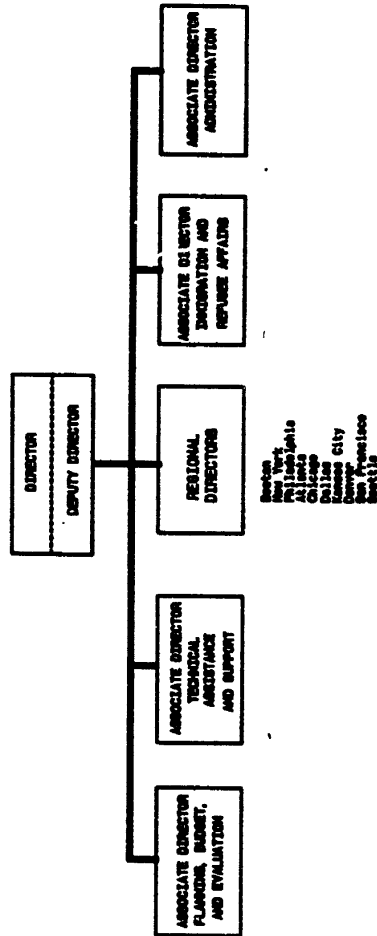
Object Class	1995 Actual	1996 Estimate	1997 Request	Incr/Decr
11.0 Special Personnel				
21.0 Services payment	\$70,105	\$78,587	\$84,472	5,885
21.0 Travel & Transportation of persons	11,298	12,665	13,615	950
25.0 Other Services	2,819	3,160	5,397	2,237
31.0 Equipment	7	1	9	1
Total obligations	84,229	94,420	103,493	9,073
Unobligated balance, start of year	-43,167	-33,413	-23,993	
Unobligated balance, end of year	33,413	23,393	23,202	
Total requirements	74,475	85,000	102,702	
Relation of obligations to outlays:				
Obligations	84,229	94,420	103,493	
Obligated balance, start of year	67,296	70,907	82,494	
Obligated balance, end of year	-70,907	-82,494	-89,036	
Outlays	80,618	82,833	96,891	

Department of Justice
Community Relations Service
Estimates for Fiscal Year 1997

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COMMUNITY RELATIONS SERVICE



Approved:  Date: Nov 17, 1995
 JANET RENO
 Attorney General

Department of Justice
Sales and Services, Community Relations Service

Summary Statement

Fiscal Year 1997

For FY 1997, the Community Relations Service (CRS) is requesting a total of 41 permanent positions, 41 workyears and \$5,502,000 for the prevention and resolution of racial conflict. This request represents a net program decrease of 72 positions, 72 workyears and \$15,193,000 below the FY 1996 President's Budget. Responsibility for the Reception, Processing and Care of Cubans and Haitians has been transferred, along with 21 positions and 21 workyears, to the Immigration and Naturalization Service (INS). Funding for these Cuban/Haitian entrant resettlement activities will be provided from INS' Excess Fee Account. In addition, the 1996 Conflict Prevention and Resolution program was downsized by 50 percent from the President's Budget request.

CONFLICT PREVENTION AND RESOLUTION

In accordance with Title X of the Civil Rights Act of 1964 (42 USC 2000g), CRS provides assistance to communities and persons in the prevention and resolution of disputes, disagreements, and difficulties relating to perceived discriminatory practices based on race, color, or national origin. At the requested funding level, 41 positions, 41 workyears, and \$5,502,000 will be available for this activity.

CRS' continued efforts to provide a catalyst for local solutions to local problems is in keeping with the original legislative intent of Congress, which was to provide an effective alternative mechanism to federal enforcement action in local civil rights disputes. As a component of the Justice Department, CRS is uniquely situated to be effective at meeting this objective. CRS is able to gain immediate access to State and local governmental authorities who may be involved in conflicts in local communities. However, as a non-investigative and non-enforcement agency, CRS can play an impartial facilitator's role between these officials and community leaders in conflict over racial issues.

CRS conciliators are prohibited by law from being involved in investigations or other enforcement activities and are, therefore, free to create, through application of accepted mediation and conciliation techniques, an atmosphere of candor and trust among the local parties in dispute. CRS effectiveness on the local level is further enhanced by the strictly voluntary nature of its services; none of the parties is required to take part in CRS conciliation or mediation. The decision to participate is made only at the local level. In FY 1995, CRS closed 881 cases involving significant community-wide conflicts of a racial or ethnic nature, fostering the peaceful reduction of racial and ethnic tensions in all 50 states and the U.S. Virgin Islands.

Community Relations Service
Salaries and expenses

Justification of Proposed Changes in Appropriation Language

The 1997 budget estimates include changes in the appropriation language listed and explained below. New language is underscored and deleted matter is enclosed in brackets.

Salaries and expenses, Community Relations Service

For necessary expenses of the Community Relations Service, established by
Article X of the Civil Rights Act of 1964 (42 USC 200001-200002), \$3,502,000.
(Reorganization Plan No. 1 of 1964.)

Note.-A regular 1996 appropriation for this account had not been enacted at the time this budget was prepared. The 1996 amounts included in this budget are based on the levels provided in three continuing resolutions: P.L. 104-91, P.L. 104-92, and P.L. 104-99.

Community Relations Service

Salaries and expenses

Crosswalk of 1998 Changes

(Dollars in Thousands)

Activity/Program	1998 President's Budget Request		Congressional Appropriation Action on 1998 Request		Reprogramming		1998 Appropriation Anticipated	
	Pos.	WY	Pos.	WY	Pos.	WY	Pos.	WY
Conflict Resolution:								
Program Operations.....	73	78	-36	-44	..	..	34	34
Management and Administration.....	16	20	-11	-13	..	..	7	7
Subtotal.....	91	98	-50	-57	..	..	41	41
Reception, Processing and Care of Cubans and Haitians.....	22	16	-22	-16	..	..	0	0
Total.....	113	114	-72	-73	..	..	41	41

Congressional Appropriation Action on 1998 Request: Congress directed a net program decrease of 50 positions, 57 workyears and \$316,000 below the FY 1998 Base Request for CRS' Conflict Prevention and Resolution program. In addition, the responsibility for the Reception, Processing and Care of Cubans and Haitian entrants, will transfer to the Immigration and Naturalization Service (INS).

Community Relations Service
Salaries and expenses
Summary of Requirements
(Police in thousands)

	1986		1987	
	Perm Pos.	Amount	Perm Pos.	Amount
Adjustments to base:				
1986 Appropriation Anticipated	41	86,519	41	86,519
Mail Management Transfer				
Increases (Automatic, Non-Policy)				
1987 Base Request	41	86,519	41	86,519
Program Changes				
1987 Estimate	41	86,519	41	86,519

	1986 Appropriation Anticipated		1987 Base		1987 Estimate		Increase/Decrease	
	Perm Pos.	Amount	Perm Pos.	Amount	Perm Pos.	Amount	Perm Pos.	Amount
Estimates by budget activity								
1. Conflict Prevention and Resolution	41	86,519	41	86,502	41	86,502		
2. Reception, Processing and Care of Cubans and Haitians								
Total	41	86,519	41	86,502	41	86,502	0	0

The responsibility for the Reception, Processing and Care of Cubans and Haitian entrants, will transfer to the Immigration and Naturalization Service (INS) in 1988.

Community Relations Service
Salaries and Expenses
Summary of Resources by Program

Activity/Program	1986 as Enacted			1986 Actual			1986 Appropriation Anticipated			1987 Base			1987 Estimate			Increase/Decrease		
	Pos.	WY	Avail.	Pos.	WY	Avail.	Pos.	WY	Avail.	Pos.	WY	Avail.	Pos.	WY	Avail.	Pos.	WY	Avail.
Conflict Resolution: Program Operations, Management and Administration	75	80	8,310	75	80	8,310	34	34	4,286	34	34	4,402	34	34	4,402	-	-	-
Subtotal	18	20	2,011	18	20	2,011	7	7	1,004	7	7	1,000	7	7	1,000	-	-	-
Reception, Processing and Care of Citizens and Visitors	80	100	10,321	80	100	10,321	41	41	5,319	41	41	5,302	41	41	5,302	-	-	0
Total	23	78	9,802	23	73	13,419	0	0	0	0	0	0	0	0	0	-	-	-
Relatable Workyears Other Workyears Overhead	118	178	23,313	118	173	23,740	41	41	5,319	41	41	5,302	41	41	5,302	-	-	0
Total	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
Relatable Workyears	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
Other Workyears	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
Overhead	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
Total	118	178	23,313	118	173	23,740	41	41	5,319	41	41	5,302	41	41	5,302	-	-	0

Community Relations Service

Reliable Resource

Summary of Receipts

Order in Receipts

Collection by Source	1986 Actual			1986 Estimate			1987 Request			Increase/Decrease		
	Pct.	WY	Am.	Pct.	WY	Am.	Pct.	WY	Am.	Pct.	WY	Am.
Federal Emergency Management Agency	--	--	151	--	--	141	--	--	141	--	--	--
Immigration and Naturalization Service	--	--	14,873	--	--	--	--	--	--	--	--	--
International Criminal Investigative Training	--	--	--	--	--	--	--	--	--	--	--	--
Audience Program	--	--	18	--	--	60	--	--	--	--	--	(60)
Office of Community Oriented Policing Services	--	--	--	--	--	--	--	--	--	--	--	--
Navy Department	--	--	573	--	--	--	--	--	--	--	--	--
U.S. Department of State	--	--	--	--	--	--	--	--	--	--	--	--
Budgetary Resources	--	--	15,015	--	--	191	--	--	--	--	--	(80)
Obligations by Activity:												
Conflict Prevention and Resolution	--	--	151	--	--	191	--	--	141	--	--	(80)
Reception, Processing and Care	--	--	15,004	--	--	--	--	--	--	--	--	0
of Cuban and Haitian	--	--	--	--	--	--	--	--	--	--	--	--
Total	--	--	15,015	--	--	191	--	--	141	--	--	(80)

Goods and Services Provided: In 1986, FEMA provided funding to support CTR expenditures associated with hurricane's in St. Thomas, Virgin Island, and the state of Florida.

Justification of Increase/Decrease: The responsibility for the Reception, Processing and Care of Cuban and Haitian entrants, will transfer to the Immigration and Naturalization Service (INS) in 1987.

Community Relations Service
Activities and Expenses
Justification of Program and Performance
Activity Expense Summary
Fiscal Year 1987

Activity: Conflict Prevention and Resolution:	1986 Appropriation Anticipated			1987 Base			1987 Estimate			Increase/Decrease		
	Perm.	NY	Amount	Perm.	NY	Amount	Perm.	NY	Amount	Perm.	NY	Amount
Program Operations.....	34	34	4,255	34	34	4,402	34	34	4,402	...	...	...
Management and Administrative Services.....	7	7	1,064	7	7	1,100	7	7	1,100	...	...	...
Total.....	41	41	5,319	41	41	5,502	41	41	5,502	...	...	...

Mission:

To assist communities to prevent and resolve racial and ethnic tensions and conflicts and, to develop the capacity of these communities to address such conflicts without outside assistance.

General Goals:

1. To address racial and ethnic tension and conflict through the provision of conciliation, mediation, technical assistance and training.
2. To help local communities and state agencies establish and improve their own mechanisms for anticipating, preventing, and resolving racial tension or disputes.
3. To support Department of Justice initiatives in areas which impact the CRS Mission, such as implementation of community policing, prevention of violence and racial conflicts in schools, responses to immigration crises, and addressing hate crimes.

Perm.
Pos. FTE Amount

**Conflict Prevention and Resolution
Program Operations**

1996 Appropriation Anticipated
1997 Base
1997 Estimate
Increase/Decrease

34 34 34 4,255
34 34 34 4,402
... ...
... ...

BASE PROGRAM DESCRIPTION: Conflict Prevention and Resolution - Program Operations has base resources of 34 positions, 34 workyears, and \$4,402,000. All of the staff who are part of this decision unit assist local communities through conciliation, mediation, training and technical assistance in the prevention and resolution of disputes, disagreements, and difficulties arising out of practices perceived to be discriminatory on the basis of race, color, or national origin, as authorized by Title X of the Civil Rights Act of 1964.

Through conflict resolution, CMS helps parties, many of whom are law enforcement agencies, to identify the major issues in conflict, to identify points of agreement within those issues, and to define the actions necessary for resolution of the conflict. Through its prevention and outreach efforts CMS seeks to reduce the prospects for violence and community discord through dialogue, problem-solving workshops and structured training interventions. In this context, training and technical assistance are provided in areas such as community-oriented policing, avoiding excessive use of force, police/community relations, and cultural diversity. CMS also undertakes public information projects each year in cooperation with public and private sector organizations, e.g., the Federal Bureau of Investigation (FBI), the Defense Equal Opportunity Management Institute (DEOMI), the Office of Justice Programs and the Department of Education.

With the discrimination caseloads of most other Federal agencies growing at roughly 35 percent, it is apparent that the atmosphere of racial intolerance and tension across the country cannot be reversed without a strong commitment to building capacity at the local level to prevent racial conflict and the prevalence of violence between racial groups. This effort involves bringing together community leaders, representatives of local government and law enforcement, the private sector, social service providers, educators, and parents, to empower their communities to develop local approaches to reducing racial and ethnic tensions.

CBS is not an enforcer, a legislator, a grantor, or a monitor. CBS comes to the community with no "strings," no requirements. CBS provides direct conflict resolution services to its customers, and comes strictly to help people work through racial and ethnic tensions, and to establish ways in which they can address such tensions on their own in the future. CBS' on-going casework directly addresses several major themes, including: empowering state and local government; expanding more direct service delivery to the public; creating inter-agency collaborations to strengthen communities and families; expanding the use of alternative dispute resolution; and providing support for racial and ethnic harmony.

This perspective is based on a recognition that: 1) CBS' mediation, conciliation and technical assistance can resolve deep seated racial tensions, and provide communities with the skills and mechanisms to address future conflicts, at a fraction of the cost of litigation and with less destruction to the fabric of the local community; 2) it is less costly and more effective to prevent, rather than to respond to, racial conflict; 3) the Federal government cannot, and should not try to, resolve these problems alone; and 4) our society cannot afford to do nothing about preventing racial conflict.

For FY 1997, CBS proposes to continue to respond to racial conflicts as they erupt around the country. These efforts conform with the desire to attack the problems of escalating violence emerging across the country, a problem which is particularly pernicious in many of the communities with which CBS works to address racial and ethnic tensions. CBS will also emphasize the prevention of such conflicts through its long standing involvement with law enforcement. Through CBS prevention activities and by bringing disputes to the negotiating table early, CBS may help avoid significant disruption to the fabric of local communities, prevent violence, loss of life and major property damage, and preclude more costly Federal intervention, involving law enforcement investigations, judicial processes and correctional facilities.

ACCOMPLISHMENTS

The accomplishments of the CBS conflict prevention and resolution program during FY 1995 and early 1996, are exemplified in the case descriptions below.

• Community Dispute in Union Point, GA

In February 1995, after the Union Point, Georgia, Mayor issued an order banning 21 young Black men from entering businesses where shoplifting had allegedly occurred, CBS worked with local officials and citizens to avert violence, a threatened economic boycott, and prolonged legal action. After meeting with the disputing parties, CBS briefed the U.S. District Court Judge, who was handling a suit filed by the NAACP on behalf of the youth, on the willingness of the parties to mediate their differences. The case was assigned to mediation (which resulted in the lifting of the ban), and the judge requested that CBS provide technical assistance and guidance as the community

worked through other race-related issues (e.g., sensitivity training for police officers, problem-solving sessions between black and white citizens, and establishment of a human relations commission).

• Racial Conflict at Rutgers

In February 1995, CRS defused racial tensions at Rutgers University after the University President made allegedly racist remarks about black students. Violence erupted as CRS involved students and university representatives in contingency planning prior to both a planned student sit-in at a second basketball game, and demonstration at the New Jersey State Capitol. The President, seeking to avoid any further disruption, requested that CRS provide conflict resolution training and technical assistance to his staff. Both parties agreed to participate in CRS mediation at a later date.

• PATERSON, New Jersey, Shooting

In February 1995, after 300 black citizens demonstrated at the Paterson, New Jersey, City Hall to protest a police officer's shooting of a black youth, CRS intervention helped to avoid further civil and economic disruption, and threatened violent retaliation against the police. With CRS assistance, the police and the community of Paterson were able to control the spread of rumors that ran rampant after incidents of police use of deadly force, and to provide avenues through which the Paterson community, and particularly its youth, could protest the shooting and grieve for the dead youth in peace.

• Million Man March in Washington, DC

CRS provided extensive conciliation services during the months leading up to the Million Man March, during and after the March. The CRS multi-regional teams worked closely with the march organizers, law enforcement agencies, and federal and city officials involved in planning for transportation, crowd control, police presence, and communication between event planners and local officials. During the march the CRS conciliation teams monitored racial tension and alleviated potential conflicts between participants, vendors, and police and provided expert advice on means to prevent the escalation of racial tensions. The issues dealt with as the event drew near included: early dismissal of federal employees, parking for buses, pedestrians attending the march, availability of port-a-johns, parking for private vehicles, the lack of information on the program, and lack of sufficient jumpstarts. CRS remained on site until all the crowds were dispersed from the grounds, and it was clear that no incidents were going to occur at the subway stations, or bus loading areas. CRS also monitored developments in every region for the possibility of disruptions involving march participants traveling to D.C. CRS regional offices also alerted federal and state prison administrators around the

country to our availability to conciliate conflicts, should they occur over inmates' wishes to commemorate the March.

- Conflict Resolution Work Pertaining to Cuban and Haitian Refugees

CMS conciliation staff provided conflict resolution support to the Joint Military Task Force from the earliest days of the Guantanamo operation. CMS conciliators trained crisis response teams of Cuban/Haitian Entrant Program staff working directly in the camps to handle conflicts on a 24 hour basis. CMS conciliators also responded to heightened Black and Hispanic community tension generated by the Cuban and Haitian migrant influx in South Florida. CMS was on-site for demonstrations at the INS District Office in Miami's Little Haiti, and at marches and demonstrations at various public sites, to provide conflict prevention and conciliation services. CMS also served as a liaison between the Cuban and Haitian communities and DOJ, to assist in resolving problems, communicating information to and from the community, and defusing rumors.

Streamlining

Resources available to conduct CMS' Conflict Prevention and Resolution activities were reduced by \$5,319,000 and 50 positions in FY 1996. As a result, CMS headquarters staffing was reduced by over 70 percent and field staff were reduced by over 50 percent. Emphasis was placed on retaining CMS' most experienced conciliation specialists, who will continue to be available to respond to state and local requests for assistance in addressing the most serious racial and ethnic conflicts that arise.

PERFORMANCE MEASUREMENT TABLE: PRESENTED BY DISTRICT UNIT

NAME OF DISTRICT UNIT: Conflict Prevention and Resolution - Program Operations		PERFORMANCE INDICATORS INFORMATION				PERFORMANCE MEASURES AND ACTUAL RESULTS					
Type of Indicator	Performance Indicators	1993 Actual	1994 Actual	1995 Target	1995 Actual	1996 Target	1996 Actual	1997 Target	1997 Actual		
Input	1. Number of alerts filed during fiscal year 2. Number of alerts carried in from previous fiscal year 3. Number of cases opened during fiscal year 4. Number of cases carried in from previous fiscal year	1087	1080	1044	1044	1144	1044	1144	923		
Output/Activity	5. Number of assessments conducted	...	...	...	...	...	...	...	...
	6. Number of cases worked on	...	...	...	...	...	...	...	...
	a. At tension level 1	...	5	...	...	...	...	...	...
	b. At tension level 2	...	24	...	...	...	...	...	...
	c. At tension level 3	...	96	...	...	...	...	...	...
	7. Number of cases in which law enforcement received technical assistance or training	...	...	...	...	...	...	...	...
	8. Number of training programs delivered to professional, associations of educators, school district personnel, and/or students	...	293	...	...	...	...	...	...
	9. Number of cases in which CDR work with local law enforcement averted potential violence or disorder	...	94	...	...	...	...	...	...
	10. Conflict management and resolution skills curriculum or program adopted with CDR assistance	...	78	...	...	...	...	...	...
	11. Number of schools	...	33	...	...	...	...	...	...
Intermediate Outcomes	12. Percentage of customers agreeing that information provided in CDR prevention activity was responsive to their needs (survey, P2)	...	...	...	...	...	...	...	...
	13. Percentage of cases in which racial/ethnic tension is reduced after conciliation/mediation intervention	...	...	...	...	...	...	...	...
	End Outcome	...	...	...	...	...	...	...	...

NAME OF SECTION UNIT: Conflict Prevention and Resolution - Program Operations									
PERFORMANCE INDICATOR INFORMATION				PERFORMANCE TARGETS AND ACTUAL RESULTS					
Type of Indicator	Performance Indicators	1993 Actual	1994 Actual	1995 Target	1996 Actual	1996 Target	1997 Target	1997 Actual	1997 Target
Productivity/Efficiency	14. Cases Worked On/Conciliator	...	23	29	30	29	29	29	29
A. Definitions of Terms or Explanations for Indicators:									
<p>"Alert" - a report on an occurrence that could possibly require CRS services. "Tension level 4" - Racially motivated violence resulting in minor injury/property damage. "Tension level 5" - Racially motivated violence resulting in minor injury/property damage. "Tension level 6" - Public disturbance by parties, expressing conflicts with other parties.</p>									
B. Factors Affecting FY 95 Program Performance:									
<ul style="list-style-type: none"> Implementation of the new computerized CRIS has resulted in a period of under-reporting by conciliation staff who require time to master the new technology and application. Temporary details to assist in the Safe Haven operations and with FEMA emergencies reduced time available to conciliation staff time to conduct regular casework. 									
C. Factors Affecting Selection of FY 95 and 97 Targets:									
<ul style="list-style-type: none"> Multiple continuing resolutions, prolonged furloughs and, ultimately, the necessity for CRS to outpace 60% of its conflict resolution staff in 1996, have had a significant impact on 1996 case productivity levels. 1997 targets have been revised to reflect the significant decrease in the CRS budget for 1996. Decreasing numbers of alerts, assessments, and cases do not indicate a decreased need for services. Rather these numbers reflect the smaller number of alerts available to the alerts, and conflict assessment staff. 									

Legend: 14. Cases Worked On/Conciliator. A performance indicator that might seem to be a measure of productivity, but is not.

**Conflict Prevention and Resolution
Management and Administration**

1996 Appropriation Anticipated	7	7	7	1,064
1997 Base	7	7	7	1,100
1997 Estimate	7	7	7	1,100
Increase/Decrease	...	...	...	...

BASE PROGRAM DESCRIPTION: Conflict Prevention and Resolution - Management and Administration has base resources of 7 positions, 7 workyears, and \$1,100,000. This level of staffing represents a significant reduction caused by the reduction in funding and the agency's efforts to shift resources from headquarters management and administration to field operations. Staff of this decision unit have in the past, provided support for both CAS' Conflict Prevention and Resolution and its Cuban Haitian Entrant Programs. Due to the transfer of the CASP program to INS, this decision unit will now provide the following for the Conflict and Prevention Program:

- executive level leadership, defining CAS program and operational policy, priorities, goals, and objectives;
- management and coordination of external communications, including liaison activities with Department, Administration, legislative and State and local officials, as well as national organizations;
- oversight of all aspects of CAS' budget, annual and long-term planning and analysis processes, and customer service initiatives, and management of CAS' information resource management activities;
- liaison to administrative and management support providers, including personnel and procurement service providers;
- management analysis and reporting, technological analysis and support, legal interpretation, advice and services, production of publications; and
- clerical support to the headquarters and field offices.

ACCOMPLISHMENTS:

Throughout 1995, CRS responded to an influx of Cuban and Haitian migrants and played a key role in the operation of a Safe Haven at Guantanamo Bay. These operations involved CRS' Acting Director in very extensive and delicate discussions with other executives within the Department, at the Department of State, the National Security Council, and with the Joint Military Task Force, as well as high level state and local officials. CRS also worked with DOJ's Office of Justice Programs, the Office of Policy Development, and the Office of Public Affairs to advise on CRS work in program areas relative to the Attorney General's initiatives.

Close coordination with the Joint Military Task Force facilitated administrative support to CRS' offshore operations involving Cubans and Haitians. Major demands were placed on the staff responsible for personnel, payroll, and procurement actions associated with the CRS Safe Haven operations. The capacity to manage Cuban Haitian Entrant Program grants was severely taxed by the unprecedented budget uncertainties and the changing need for program services, as well as the need to transition to INS.

Extensive planning was conducted regarding the dramatic downsizing of the agency, the transfer of the Cuban/Haitian Entrant Program to the INS, and the budgetary implications of these changes. As the size and scope of the Cuban Haitian Entrant Program financial needs began to exceed projected availability, close coordination with staff of the Justice Management Division led to timely attention to CRS' acute financial problems.

Staff also carried out activities in support of the National Performance Review (NPR) recommendations, including development, dissemination, and analysis of customer service plans and standards, and customer service surveys. Consistent with the NPR, an arrangement with the Office of Personnel Management produced a vehicle through which new training interventions were designed and delivered to enhance the skills of all CRS staff.

Streamlining

In its downsized configuration CRS will rely heavily on other DOJ components for administrative support services and will enhance the use of technology and data connectivity to field components as it seeks to compensate for the loss of administrative support staff.

PERFORMANCE MEASUREMENT TABLE: PRESENTED BY DECISION UNIT

NAME OF DECISION UNIT: Conflict Prevention and Resolution - Management and Administration		PERFORMANCE INDICATORS AND ACTUAL RESULTS									
Type of Indicator	Performance Indicators	1991 Actual		1992 Actual		1993 Actual		1994 Actual		1995 Actual	
		Target	Actual	Target	Actual	Target	Actual	Target	Actual	Target	Actual
Target	1. FTS committed to MAA	22	18	18.2	18.2	18.2	18.2	13.7	13.7	7	7
	2. Percentage of funds earmarked for INM	1.3%	2.0%	1.2%	1.2%	1.2%	1.2%	3.7%	3.7%	5.1%	5.1%
	3. Percentage of funds earmarked for training	...	1.0%	...	...	...	...	...	...	...	...
Output/Activity	4. Number of computer skills courses taken by CMA staff	...	146	...	...	...	...	5	5	41	41
	5. Percentage of CMA offices with installed dedicated communications servers	0%	6%	...	...	...	...	20%	20%	100%	100%
	6. Number of staff participating in conflict resolution skills courses	...	100	...	...	...	...	0	0	41	41
Intermediate Outcome	7. Average hours per week spent by field staff to establish remote communications connections to HQ LAM	...	...	...	...	...	...	23	23	6	6
	8. Number of disconnections experienced per year	...	...	...	...	...	...	1300	1300	209	209
	9. Percentage of mediations attempted resulting in signed agreements	...	...	...	...	...	...	22%	22%	23%	23%
End Outcome	10. Average hours per week responding to user help calls	...	39	...	...	...	...	15	15	10	10
	11. Percentage of customers ranking CMA service as 8 or above on a scale of 1 - 10 (survey, CM 24)	...	...	...	...	...	...	81%	81%	82%	82%
	12. Percentage of customers ranking CMA sponsored prevention activity as 8 or above on a scale of 1 - 10 (survey, P 14)	...	...	...	...	...	...	73%	73%	74%	74%
Productivity/Efficiency	13. Percentage of cases with elapsed time between reports filed over 45 days	...	...	...	...	...	...	...	...	45%	45%
A. Definitions of Terms or Explanations for Indicators:											
2. Funds earmarked for INM include hardware, software, and supplies/ contracts for technical assistance and maintenance) and training. The percentage calculated is against the total Conflict Prevention and Resolution budget, including Management and Administration.											
3. Dedicated communications servers will allow CMA Regional Office users to conduct e-mail and file transfer activities at the local level, with automatic transmission to the Headquarters hub for further distribution. When fully functional, the communications servers will obviate the need for most Regional staff to dial-in remotely to the HQ LAM.											
4. Mediation is a dispute resolution process that is not the sole measure of success in any specific mediation effort, therefore the ultimate goal for this measure is not at all.											
B. Factors Affecting FY 95 Program Performance.											

NAME OF REGION UNIT: Conflict Prevention and Resolution - Management and Administration	
PERFORMANCE INDICATOR INFORMATION	PERFORMANCE TARGETS AND ACTUAL RESULTS
2. One-time expenditure was required to prepare for installation of dedicated communications servers and upgrading hardware capacity in each Regional Office.	
4. Planned installation of Windows 3.1 and Word Perfect 6.1 for Windows necessitated training for all staff.	
5. Two additional offices received dedicated communications servers and asynch gateways.	
C. Factors Affecting Selection of FY 96 and 97 Targets.	
1. Budget reductions and a concerted effort to maximize resources assigned to direct mission delivery will result in significant downsizing of MAH staff through 1996 into 1997. The target for 1996 end-of-year is 7 PM.	
2. The higher percentage reflects reduced discretionary costs and relatively high undistributed costs as a proportion of a significantly reduced base.	
4., 6. CAS' staffing levels will mandate a significantly higher dependence on automation and efficient casework practices. Additional training for all staff in these areas will be essential.	
5. Because of potential relocations of CAS offices, implementation of this initiative has been rescheduled.	
7., 8. With the installation of dedicated communications servers, fewer staff have to dial in remotely to send and receive e-mail and file transfers.	
10. Better trained end-users, and fewer end-users after budget reductions are implemented, should result in fewer user help calls.	
Disagrees in further reducing's response to/ paper change. A performance indicator was target and target for the results that will be achieved during 1996/1997.	

Community Relations Service
Salaries and Expenses
Priority Ranking
Fiscal Year 1977

Base Program		Program Increases	
Program	Ranking	Program	Ranking
Conflict Prevention and Resolution -			
Program Operations and Resolution -	1	...	...
Conflict Prevention and Resolution -	2	...	...
Management and Administration			

Community Relations Service
Salaries and Expenses
Detail of Permanent Positions by Category
Fiscal year 1986 - 1987
(DOLLARS IN THOUSANDS)

Category	1986 Authorized	1986 Authorized	1987 Total
Attorneys (505).....	1	1	1
Regional Directors (249).....	10	10	10
Senior Conciliation Specialists (261).....	10	17	17
Conciliation Specialists (261).....	45	7	7
Management/Program Analyst (242).....	2	3	3
Program Specialists (261).....	13	1	1
Accounting and Budget (249 - 249).....	3	0	0
General Admin., Clerical and Office Services (249 - 249).....	32	2	2
Total.....	116	41	41
Washington.....	29	7	7
U. S. Field.....	86	34	34
Total.....	116	41	41

Legal Activities
Salaries and expenses - Community Relations Service
BUREAU OF PRISON

	Perm. Pos.	Work- Years	Amount
1996 Appropriation Anticipated.....	41	41	\$ 5,319
Adjustments to base:			
Transfers:			
Mail Management Transfer.....	...	...	2
Increases, (Automatic, Non-Policy):			
1977 pay raise and locality pay adjustment.....	...	...	76
Annualization and increase of 1996 pay raise.....	...	...	10
Annualization of 1996 locality pay adjustment.....	...	...	26
Within-grade increases.....	...	...	29
Travel and mileage.....	...	...	1
General price level adjustments.....	31
Total, increase.....	181
1997 Base.....	41	41	5,502
1997 Estimate.....	41	41	5,502

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Local Activities
Salaries and expenses - Community Relations Service
Justification of Requests to Congress
(Dollars in thousands)

Perm. Est. - NY Amount

... 3

Transfers

1. Mail Management Transfer..... This redistribution is necessary in order to align the base funding for resources for this redistribution that is being used to distribute the 1996 mail management services overhead costs. The funds to be redistributed will be based on the FY 1995 survey of mail volume since this represents the most current information available.

Increases

1. 1997 pay raise and locality pay adjustment..... This request provides for the proposed 3.6 percent pay raise and locality pay adjustment to be effective in January of 1997 and is consistent with Administrative policy included in the 1997 President's budget request. The amount requested, \$76,000, represents the pay amounts for three-quarters of the fiscal year plus appropriate benefits (\$64,000 for pay and \$11,400 benefits = \$76,000).
2. Annualization and increase of 1996 pay raise..... This request provides for the requested pay raise amounts (October 1996 pay raise of 3.4 percent plus appropriate benefits) to be applied for the additional amount required above the 2.2 percent originally requested for the three-quarters of the year (\$4,500 for pay and \$1,500 for benefits).
3. Annualization of 1996 locality pay adjustment..... This adjustment represents the 1st quarter amounts of the locality pay increase received January 1996, plus appropriate personnel benefits.
4. Within-grade increases..... This request provides for the expected increase in costs of within-grade increases. This includes increases for the expected increase of the Department's pay plan which includes numerous factors such as anticipated pay raises, anticipated pay plan increases, attrition/separation rates, and career ladder series to reflect promotion policy for each organization. The request includes \$14,850 for pay and \$1,350 for benefits.

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Justification of Adjustments to Base (continued)
(Dollars in thousands)

	Perm. Est.	NY	Amount
5. Travel-mileage allowance rate increase..... The mileage allowance rate has increased from 25 to 30 cents per mile. An increase of \$1,000 is requested for 1997 to cover this rate adjustment.	1
6. General pricing level adjustments..... This request applies O&M pricing guidance as of June 11, 1995, to selected expense categories. The increased costs identified result from applying a factor of 3.1 percent against those subcontract classes where the prices that the Government pays are established through the market system instead of by law or regulation. Generally, the factor is applied to supplies, materials, equipment, contracts with the private sector, printing costs, transportation costs, and utilities.	39
Total Increases.....	181
Total, Adjustments To Base.....	183

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Community Relations Service

Salaries and expenses

Summary of Requirements by Grade and Object Class

Grades in thousands

Grade and Salary Range	1988 Actual		1988 President's Budget Request		1987 Request		1988 Director's Budget Request	
	Positions & Employees	Amount	Positions & Employees	Amount	Positions & Employees	Amount	Positions & Employees	Amount
GS-5, \$14,000 - \$16,000	1	1	1	1	1	1	1	1
GS-6, \$16,000 - \$18,000	1	1	1	1	1	1	1	1
GS-7, \$18,000 - \$20,000	1	1	1	1	1	1	1	1
GS-8, \$20,000 - \$22,000	1	1	1	1	1	1	1	1
GS-9, \$22,000 - \$24,000	1	1	1	1	1	1	1	1
GS-10, \$24,000 - \$26,000	1	1	1	1	1	1	1	1
GS-11, \$26,000 - \$28,000	1	1	1	1	1	1	1	1
GS-12, \$28,000 - \$30,000	1	1	1	1	1	1	1	1
GS-13, \$30,000 - \$32,000	1	1	1	1	1	1	1	1
GS-14, \$32,000 - \$34,000	1	1	1	1	1	1	1	1
GS-15, \$34,000 - \$36,000	1	1	1	1	1	1	1	1
GS-16, \$36,000 - \$38,000	1	1	1	1	1	1	1	1
GS-17, \$38,000 - \$40,000	1	1	1	1	1	1	1	1
GS-18, \$40,000 - \$42,000	1	1	1	1	1	1	1	1
GS-19, \$42,000 - \$44,000	1	1	1	1	1	1	1	1
GS-20, \$44,000 - \$46,000	1	1	1	1	1	1	1	1
GS-21, \$46,000 - \$48,000	1	1	1	1	1	1	1	1
GS-22, \$48,000 - \$50,000	1	1	1	1	1	1	1	1
GS-23, \$50,000 - \$52,000	1	1	1	1	1	1	1	1
GS-24, \$52,000 - \$54,000	1	1	1	1	1	1	1	1
GS-25, \$54,000 - \$56,000	1	1	1	1	1	1	1	1
GS-26, \$56,000 - \$58,000	1	1	1	1	1	1	1	1
GS-27, \$58,000 - \$60,000	1	1	1	1	1	1	1	1
GS-28, \$60,000 - \$62,000	1	1	1	1	1	1	1	1
GS-29, \$62,000 - \$64,000	1	1	1	1	1	1	1	1
GS-30, \$64,000 - \$66,000	1	1	1	1	1	1	1	1
GS-31, \$66,000 - \$68,000	1	1	1	1	1	1	1	1
GS-32, \$68,000 - \$70,000	1	1	1	1	1	1	1	1
GS-33, \$70,000 - \$72,000	1	1	1	1	1	1	1	1
GS-34, \$72,000 - \$74,000	1	1	1	1	1	1	1	1
GS-35, \$74,000 - \$76,000	1	1	1	1	1	1	1	1
GS-36, \$76,000 - \$78,000	1	1	1	1	1	1	1	1
GS-37, \$78,000 - \$80,000	1	1	1	1	1	1	1	1
GS-38, \$80,000 - \$82,000	1	1	1	1	1	1	1	1
GS-39, \$82,000 - \$84,000	1	1	1	1	1	1	1	1
GS-40, \$84,000 - \$86,000	1	1	1	1	1	1	1	1
GS-41, \$86,000 - \$88,000	1	1	1	1	1	1	1	1
GS-42, \$88,000 - \$90,000	1	1	1	1	1	1	1	1
GS-43, \$90,000 - \$92,000	1	1	1	1	1	1	1	1
GS-44, \$92,000 - \$94,000	1	1	1	1	1	1	1	1
GS-45, \$94,000 - \$96,000	1	1	1	1	1	1	1	1
GS-46, \$96,000 - \$98,000	1	1	1	1	1	1	1	1
GS-47, \$98,000 - \$100,000	1	1	1	1	1	1	1	1
GS-48, \$100,000 - \$102,000	1	1	1	1	1	1	1	1
GS-49, \$102,000 - \$104,000	1	1	1	1	1	1	1	1
GS-50, \$104,000 - \$106,000	1	1	1	1	1	1	1	1
GS-51, \$106,000 - \$108,000	1	1	1	1	1	1	1	1
GS-52, \$108,000 - \$110,000	1	1	1	1	1	1	1	1
GS-53, \$110,000 - \$112,000	1	1	1	1	1	1	1	1
GS-54, \$112,000 - \$114,000	1	1	1	1	1	1	1	1
GS-55, \$114,000 - \$116,000	1	1	1	1	1	1	1	1
GS-56, \$116,000 - \$118,000	1	1	1	1	1	1	1	1
GS-57, \$118,000 - \$120,000	1	1	1	1	1	1	1	1
GS-58, \$120,000 - \$122,000	1	1	1	1	1	1	1	1
GS-59, \$122,000 - \$124,000	1	1	1	1	1	1	1	1
GS-60, \$124,000 - \$126,000	1	1	1	1	1	1	1	1
GS-61, \$126,000 - \$128,000	1	1	1	1	1	1	1	1
GS-62, \$128,000 - \$130,000	1	1	1	1	1	1	1	1
GS-63, \$130,000 - \$132,000	1	1	1	1	1	1	1	1
GS-64, \$132,000 - \$134,000	1	1	1	1	1	1	1	1
GS-65, \$134,000 - \$136,000	1	1	1	1	1	1	1	1
GS-66, \$136,000 - \$138,000	1	1	1	1	1	1	1	1
GS-67, \$138,000 - \$140,000	1	1	1	1	1	1	1	1
GS-68, \$140,000 - \$142,000	1	1	1	1	1	1	1	1
GS-69, \$142,000 - \$144,000	1	1	1	1	1	1	1	1
GS-70, \$144,000 - \$146,000	1	1	1	1	1	1	1	1
GS-71, \$146,000 - \$148,000	1	1	1	1	1	1	1	1
GS-72, \$148,000 - \$150,000	1	1	1	1	1	1	1	1
GS-73, \$150,000 - \$152,000	1	1	1	1	1	1	1	1
GS-74, \$152,000 - \$154,000	1	1	1	1	1	1	1	1
GS-75, \$154,000 - \$156,000	1	1	1	1	1	1	1	1
GS-76, \$156,000 - \$158,000	1	1	1	1	1	1	1	1
GS-77, \$158,000 - \$160,000	1	1	1	1	1	1	1	1
GS-78, \$160,000 - \$162,000	1	1	1	1	1	1	1	1
GS-79, \$162,000 - \$164,000	1	1	1	1	1	1	1	1
GS-80, \$164,000 - \$166,000	1	1	1	1	1	1	1	1
GS-81, \$166,000 - \$168,000	1	1	1	1	1	1	1	1
GS-82, \$168,000 - \$170,000	1	1	1	1	1	1	1	1
GS-83, \$170,000 - \$172,000	1	1	1	1	1	1	1	1
GS-84, \$172,000 - \$174,000	1	1	1	1	1	1	1	1
GS-85, \$174,000 - \$176,000	1	1	1	1	1	1	1	1
GS-86, \$176,000 - \$178,000	1	1	1	1	1	1	1	1
GS-87, \$178,000 - \$180,000	1	1	1	1	1	1	1	1
GS-88, \$180,000 - \$182,000	1	1	1	1	1	1	1	1
GS-89, \$182,000 - \$184,000	1	1	1	1	1	1	1	1
GS-90, \$184,000 - \$186,000	1	1	1	1	1	1	1	1
GS-91, \$186,000 - \$188,000	1	1	1	1	1	1	1	1
GS-92, \$188,000 - \$190,000	1	1	1	1	1	1	1	1
GS-93, \$190,000 - \$192,000	1	1	1	1	1	1	1	1
GS-94, \$192,000 - \$194,000	1	1	1	1	1	1	1	1
GS-95, \$194,000 - \$196,000	1	1	1	1	1	1	1	1
GS-96, \$196,000 - \$198,000	1	1	1	1	1	1	1	1
GS-97, \$198,000 - \$200,000	1	1	1	1	1	1	1	1
GS-98, \$200,000 - \$202,000	1	1	1	1	1	1	1	1
GS-99, \$202,000 - \$204,000	1	1	1	1	1	1	1	1
GS-100, \$204,000 - \$206,000	1	1	1	1	1	1	1	1
GS-101, \$206,000 - \$208,000	1	1	1	1	1	1	1	1
GS-102, \$208,000 - \$210,000	1	1	1	1	1	1	1	1
GS-103, \$210,000 - \$212,000	1	1	1	1	1	1	1	1
GS-104, \$212,000 - \$214,000	1	1	1	1	1	1	1	1
GS-105, \$214,000 - \$216,000	1	1	1	1	1	1	1	1
GS-106, \$216,000 - \$218,000	1	1	1	1	1	1	1	1
GS-107, \$218,000 - \$220,000	1	1	1	1	1	1	1	1
GS-108, \$220,000 - \$222,000	1	1	1	1	1	1	1	1
GS-109, \$222,000 - \$224,000	1	1	1	1	1	1	1	1
GS-110, \$224,000 - \$226,000	1	1	1	1	1	1	1	1
GS-111, \$226,000 - \$228,000	1	1	1	1	1	1	1	1
GS-112, \$228,000 - \$230,000	1	1	1	1	1	1	1	1
GS-113, \$230,000 - \$232,000	1	1	1	1	1	1	1	1
GS-114, \$232,000 - \$234,000	1	1	1	1	1	1	1	1
GS-115, \$234,000 - \$236,000	1	1	1	1	1	1	1	1
GS-116, \$236,000 - \$238,000	1	1	1	1	1	1	1	1
GS-117, \$238,000 - \$240,000	1	1	1	1	1	1	1	1
GS-118, \$240,000 - \$242,000	1	1	1	1	1	1	1	1
GS-119, \$242,000 - \$244,000	1	1	1	1	1	1	1	1
GS-120, \$244,000 - \$246,000	1	1	1	1	1	1	1	1
GS-121, \$246,000 - \$248,000	1	1	1	1	1	1	1	1
GS-122, \$248,000 - \$250,000	1	1	1	1	1	1	1	1
GS-123, \$250,000 - \$252,000	1	1	1	1	1	1	1	1
GS-124, \$252,000 - \$254,000	1	1	1	1	1	1	1	1
GS-125, \$254,000 - \$256,000	1	1	1	1	1	1	1	1
GS-126, \$256,000 - \$258,000	1	1	1	1	1	1	1	1
GS-127, \$258,000 - \$260,000	1	1	1	1	1	1	1	1
GS-128, \$260,000 - \$262,000	1	1	1	1	1	1	1	1
GS-129, \$262,000 - \$264,000	1	1	1	1	1	1	1	1
GS-130, \$264,000 - \$266,000	1	1	1	1	1	1	1	1
GS-131, \$266,000 - \$268,000	1	1	1	1	1	1	1	1
GS-132, \$268,000 - \$270,000	1	1	1	1	1	1	1	1
GS-133, \$270,000 - \$272,000	1	1	1	1	1	1	1	1
GS-134, \$272,000 - \$274,000	1	1	1	1	1	1	1	1
GS-135, \$274,000 - \$276,000	1	1	1	1	1	1	1	1
GS-136, \$276,000 - \$278,000	1	1	1	1	1	1	1	1
GS-137, \$278,000 - \$280,000	1	1	1	1	1	1	1	1
GS-138, \$280,000 - \$282,000	1	1	1	1	1	1	1	1
GS-139, \$282,000 - \$284,000	1	1	1	1	1	1	1	1
GS-140, \$284,000 - \$286,000	1	1	1	1	1	1	1	1
GS-141, \$286,000 - \$288,000	1	1	1	1	1	1	1	1
GS-142, \$288,000 - \$290,000	1	1	1	1	1	1	1	1
GS-143, \$290,000 - \$292,000	1	1	1	1	1	1	1	1
GS-144, \$292,000 - \$294,000	1	1	1	1	1	1	1	1
GS-145, \$294,000 - \$296,000	1	1	1	1	1	1	1	1
GS-146, \$296,000 - \$298,000	1	1	1	1	1	1	1	1
GS-147, \$298,000 - \$300,000	1	1	1	1	1	1	1	1
GS-148, \$300,000 - \$302,000	1	1	1	1	1	1	1	1
GS-149, \$302,000 - \$304,000	1	1	1	1	1	1	1	1
GS-150, \$304,000 - \$306,000	1	1	1	1	1	1	1	1
GS-151, \$306,000 - \$308,000	1	1	1	1	1	1	1	1
GS-152, \$308,000 - \$310,000	1	1	1	1	1	1	1	1

Community Relations Service					
Summary of Requirements by Grade and Object Class					
(Values in thousands)					
Object Class	1985 Actual		1987 Request		Increase/Decrease
	Workyears	Positions & Workyears Amount	Positions & Workyears Amount	Positions & Workyears Amount	
11.1 Full-time permanent	197	56,178	41	56,200	22
11.2 Other than full-time permanent	56	1,200	2	10	1
11.3 Other personnel (contractual)	20	1,700	10	10	10
Total	190	58,078	43	56,210	0
12.0 Personal benefits		1,207		49	91
12.1 Health, dental, pension		1,207		49	91
12.2 Travel and transportation of persons		1,207		49	91
12.3 Transportation of things		1,207		49	91
12.4 Other		1,207		49	91
12.5 Other personnel (contractual)		1,207		49	91
12.6 Communications, utilities, and miscellaneous charges		1,207		49	91
12.7 Printing and reproduction		1,207		49	91
12.8 Postage and express		1,207		49	91
12.9 Purchase of goods and services from Government contractors		1,207		49	91
12.10 Supplies and materials		1,207		49	91
12.11 Equipment		1,207		49	91
12.12 Books, exhibits, and publications		1,207		49	91
12.13 Insurance claims and indemnities		1,207		49	91
Total obligations	190	58,178	43	56,210	0
Financing obligations		0		0	0
Unobligated balance, end - of year		0		0	0
Unobligated balance, end - of year		0		0	0
Total requirements		58,178		56,210	0
Positions of obligation to fulfill:					
Total obligations		58,178		56,210	0
Unobligated balance, end - of year		0		0	0
Unobligated balance, end - of year		0		0	0
Adjustments to related interests		0		0	0
Outlays		58,178		56,210	0

Note: The responsibility for the Preparation, Progress and Costs of Culture and Inclusion projects, will transfer to the Investigation and Identification Service (SIR) in 1985.

Note: The responsibility for the Reception, Processing and Care of Cultural and National interests, will transfer to the Immigration and Naturalization Service (INS) in 1986.

Department of Justice
Independent Counsel
Estimates for Fiscal Year 1997
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Department of Justice
Independent Counsel
Summary Statement
Fiscal Year 1997

In the 1988 Appropriations Act, Congress established a permanent indefinite appropriation to fund the expenses of Independent Counsel investigations and prosecutions. Under this appropriation, all necessary costs and expenses incurred in the pursuit of these investigations will be funded from amounts available in the Treasury.

Independent Counsel investigations were authorized by Congress in the 1978 Ethics in Government Act. The authorization expired December 15, 1992, five years after the enactment of the Independent Counsel Reauthorization Act of 1987. However, the provisions of the chapter remained in effect for on-going investigations. In June 1994, the Independent Counsel Reauthorization Act of 1994 was signed into law.

Legal Activities
Independent Counsel, Permanent Indefinite Appropriation
Summary of Requirements
(In thousands of dollars)

<u>Adjustments to base</u>	1995	1995	1996 Appropriation	1997	1997	Amount
	Enacted	Actual	Anticipated	Base	Estimate	
1996 Conference Allowance.....						\$2,884
Additional apportionments anticipated.....						10,616
1996 Appropriation Anticipated.....						13,500
Decrease.....						14,000
1997 base.....						9,500
<u>Estimates by budget activity</u>	<u>Enacted</u>	<u>Actual</u>	<u>Anticipated</u>	<u>Base</u>	<u>Estimate</u>	<u>Increase/</u>
Independent Counsel.....	\$12,300	\$12,224	\$13,500	\$9,500	\$9,500	Decrease
						...

NOTE: The 1996 appropriation anticipated and 1997 request differ from the amounts shown in the Budget Appendix due to an updated estimate of funding requirements in these years.

Legal Activities
Independent Counsel, Permanent Indefinite Appropriation
Program Performance Information
Government Performance and Results Act Requirements

Mission: To implement the provisions of the Ethics in Government Act of 1978 (28 U.S.C. 591 et seq., as amended), pertaining to the appointment and functions of the various Independent Counsel.

Organisational Goals:

1. To investigate allegations of misconduct by high-level officials of the Executive branch whenever a preliminary investigation by the Attorney General results in an application for appointment of an Independent Counsel.
2. To conduct proceedings before grand juries and other investigations.
3. To review all documentary evidence from any source.
4. To initiate and conduct prosecutions in any court of competent jurisdiction, including the framing and signing of indictments, the filing of information, and the handling of all aspects of cases.

Legal Activities
Independent Counsel, Permanent Indefinite Appropriation
Program Performance Information
(Dollars in Thousands)

ACTIVITY: INDEPENDENT COUNSEL

1986 Appropriation Anticipated	13,500
1987 Base	9,500
1987 Estimate	9,500
Increase/Decrease	...

BRIEF PROGRAM DESCRIPTION: Independent Counsel investigations were authorized by Congress in the 1978 Ethics in Government Act. The authorization expired December 15, 1992, five years after the enactment of the Independent Counsel Reauthorization Act of 1987. However, the provisions of the chapter remained in effect for ongoing investigations. In June, 1994, the Independent Counsel Reauthorization Act of 1994 was signed into law.

In order to facilitate functioning of these counsel and maintain their independence from the Department of Justice, a working arrangement was implemented in 1986 between the Administrative Office of the U.S. Courts (AOSC) and the Department of Justice for the administrative support of Independent Counsel investigations. In a letter of agreement between the Department and AOSC, the Department was responsible for funding the appropriate costs of any Independent Counsel, while AOSC was responsible for the disbursement and accounting of such funding. The Independent Counsel Reauthorization Act of 1994 directs AOSC to provide administrative support and guidance to each Independent Counsel.

The Department provides funding periodically to AOSC. This funding is available to pay the appropriate costs of any active Independent Counsel. Under P.L. 100-202, an Act making further continuing appropriations for 1989, a permanent indefinite appropriation was established. This authorization is included within the General Legal Activities appropriation language (101 Stat. 1329-9). All necessary funding is to be provided from general funds in the Treasury on an as needed basis. The Congress has directed the Comptroller General to conduct semiannual financial audits.

The 1996 appropriation anticipated and 1997 budget request differ from the amounts shown in the Budget Appendix due to an updated estimate of funding requirements in these years. Even at this time, funding estimates for 1997 are difficult to develop. Most Counsel feel it would be inappropriate to provide 1997 cost estimates. This could result in the compromise of investigative information. A funding estimate could indicate where the investigation is going and at what intensity level. Currently, there are six independent Counsel operating. Four of these Counsel's investigations are ongoing and, therefore, it is likely they will be operating for at least a portion of 1997. In developing the updated 1997 budget request of \$9.5 million, it was assumed that these four Counsel will operate at a level consistent with 1996 costs. The actual funding need in 1997 will depend on the intensity of each investigation during that time. This does not include funding for any Counsel that may be appointed in the future.

INDEPENDENT COUNSEL INVESTIGATIONS COSTS

COMPLETED:	Subject	Outcome	Y. Begun	Cost
Special Counsel				
Paul J. Curran	Improper financial transactions between the Carter Peanut Warehouse and the National Bank of Georgia		1979	\$162,809
Independent Counsel				
Arthur H. Christy	Illegal drug use by Hamilton Jordan, President Carter's chief-of-staff	Insufficient evidence	1981	181,938
Gerald Gallinghouse	Illegal drug use by Tim Kraft, Carter's national campaign manager	No basis for prosecution	1981	3,348
Leon Silverman	Alleged improper business relationships between Labor Secretary Raymond Donovan's firm and organized crime figures	Insufficient evidence	1982	326,444
Jacob Stein	Impropriety of AG Edwin Meese III involving financial transactions and appointments of business associates to federal jobs	No basis for indictment	1984	311,848
Independent Counsel				
Harper	Alleged willful failure to file an income tax return, subject's name under seal	No indictment	1987	44,498
Leon Silverman	Reappointed in 1985 under court seal to investigate Raymond Donovan on same subject	Insufficient evidence	1989	7,205
Sealed			1989	17,087
Alexia Morrison	Former AG Theodore Olson giving false testimony before Congress	No basis for indictment	1986	1,514,891

¹ Costs for Counsel established after 1986 reflect expenditures reported by Administrative Office of US Courts.

² Charles Baugh originally appointed to investigation resigned shortly after because he didn't like certain potential restrictions on his legal practice.

³ James McKay originally appointed to investigation resigned a month later to avoid a conflict of interest.

INDEPENDENT COUNSEL INVESTIGATIONS COSTS

Independent Counsel	Subject	Outcome	FY Begun	Cost
Whitney Seymour	Violation of federal conflict-of-interest laws by former White House aide, Michael Deaver	Conviction	1986	1,469,450
James McKay	Robin Weiss III (2nd investigation) Violation of criminal laws by Franklin Weffinger on behalf of the Mediate Corp.	No indictment Conviction overturned	1987 1987	2,576,648 ^a
Sealed			1991	87,377
ONGOING COSTS:				Cost as of 3/31/98
Lawrence Walsh	Secret sale of weapons to Iran and the diversion of profits to assist U.S.-checked Nicaraguan rebels, several defendants involved	Convictions/ Pardons	1987	39,046,754 ^b
	Sensitive Compartmented Information Facility			2,363,529 ^c
Arlin Adams Larry Thompson (6/1/95)	Conspiracy to defraud the U.S. by Samuel Pierce and other HUD officials involving the Dept.'s rehabilitation program	Guilty pleas/ Convictions Fines collected	1990	20,434,735
d'Onofrio	Violation of the law and cover up of knowledge of the presidential search of President Clinton's passport files by White House Officials	No indictment	1993	2,290,579
Starr	Violation of any federal criminal law relating to what has become known as the "Whitewater Affair" Several defendants involved	Indictments/ Guilty pleas Ongoing	1994	5,907,220
Smalls	Violation of Federal laws by Agriculture Secretary Mike Espy for accepting gifts from regulated Co.	Guilty plea Ongoing	1994	3,730,300

^a Cost breakdown between the two investigations are estimated at 50%/50%.

^b An additional \$98 thousand has been charged directly against the permanent indefinite IC appropriation. In April 1995, \$380 thousand was credited to the account due to a reimbursement from the Judgement Fund for attorney fees.

^c An additional \$3,067 thousand has been charged directly against the permanent indefinite IC appropriation.

INDEPENDENT COUNSEL INVESTIGATIONS COSTS

Independent Counsel	Subject	Outcome	FY Budget	Cost as of 3/31/96
Barrett	The original concealment of information about payments to his former mistress by HUD Secretary Henry Cisneros.	Ongoing	1995	\$419,462
Pearson	Violation of Federal laws by Commerce Secretary Ronald Brown for accepting more than \$400,000 from a business partner and filing inaccurate financial disclosure statements.	Ongoing	1995	416,324

NOTE: Expenditures for temporary hires working in AOCUC's personnel office on Independent Counsel employees' retirement related matters total \$453,437.

Revised March 1996

Legal Activities
 Civil Liberties Public Education Fund
 Estimate for Fiscal Year 1997
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Legal Activities
Civil Liberties Public Education Fund
Summary Statement
Fiscal Year 1997

The Civil Liberties Act authorized a total funding level of \$1.65 billion. This fund is used for two purposes: to make redress payments of \$20,000 each to Japanese-Americans who were interned, evacuated, or relocated during World War II, and, to fund educational activities about the internment and evacuation to prevent the recurrence of any similar event. Funds are available until August, 1998, the sunset date of the legislation.

No additional funds are being requested for 1997. Outlays for the payments to eligible individuals in 1996 and 1997 will be paid from available no-year funding provided in 1994. Outlays in 1996 and 1997 for the Board will be paid from the \$5 million appropriated in 1995.

Civil Liberties Public Education Fund
 Crosswalk of 1998 Changes
 (Dollar in Thousands)

Activity/Program	1998 President's Budget Request		Congressional Appropriation Actions on 1998 Request		Reprogramming		1998 Availability	
	Pos.	WV.	Pos.	WV.	Pos.	WV.	Pos.	WV.
Civil Liberties Public Education Fund.....	2.5	2.5	2.5	2.5	2.5	2.5	2.5	2.5
Total.....	2.5	2.5	2.5	2.5	2.5	2.5	2.5	2.5

**Civil Rights Division
Salaries and Expenses
Summary of Resubmissions
(Dollars in thousands)**

Adjustments to 1967:	Cum. Pys.	Wkly. Yrs.	Amount
1968 President's Request.....
1967 Estimate.....

	1968 Appropriation Anticipated		1967 Base		1967 Estimate		Increase/Decrease	
	Pys.	WY	Pys.	WY	Pys.	WY	Pys.	WY
Civil Liberties Public Education Fund.....
Total.....

Local Activities
Child Welfare Fund - Education Fund
Department of Education
Children in Transition

	1986 As Enacted (1)			1987 Actual			1987 Available (2)			1987 Budget			1987 Estimate (2)			Increased/Decreased		
	From	NY	Amount	From	NY	Amount	From	NY	Amount	From	NY	Amount	From	NY	Amount	From	NY	Amount
Estimated by Program																		
Child Welfare Fund																		
Education Fund																		
Total																		

(1) Funding provided in 1986 will be used by the recently-appointed Board to fund educational activities outlined in Section 100(5) of the Child Welfare Act.

(2) Outlays for payments to eligible individuals in 1986 and 1987 will be made from available no-year funding provided in 1984.

**Civil Liberties Public Education Fund
Government Performance and Results Act Requirements
Program and Performance**

Mission:

To provide funds for payments to individuals identified as eligible under the provisions of the Civil Liberties Act of 1988 and the Civil Liberties Act Amendments of 1992 and to provide funds for educational activities.

Organizational Goals:

1. To make payments to eligible individuals of Japanese ancestry who were evacuated, relocated or interned in the United States during World War II.
2. To fund educational activities about the internment and evacuation to prevent the recurrence of any similar event.

Legal Activities
Civil Liberties Public Education Fund
Justification of Program and Performance
(Dollars in thousands)

	Pers.	Est.	Amount
Civil Liberties Public Education Fund			
1994 Availability
1997 Base
1997 Estimate
Increase/Decrease

BRIEF PROGRAM DESCRIPTION: The Civil Liberties Act of 1988 authorizes the appropriation of funds to establish a fund in the Treasury of the United States. Public Law 101-161, enacted November 21, 1989, classified the fund as an entitlement program. The Civil Liberties Act of 1992 authorized an additional \$400 million, providing a total funding level of \$1.65 billion. Funds are available until August, 1998, the sunset date of the legislation.

This fund is used for two purposes: to make redress payments of \$20,000 each to Japanese-Americans who were interned, evacuated, or relocated during World War II; and, to fund educational activities about the internment and evacuation to prevent the recurrence of any similar event. Both activities are authorized by the Civil Liberties Act of 1988.

The redress provisions of the Act are administered by the Civil Rights Division. The General Services Administration (GSA) will be providing support for the educational activities, which will be administered by a nine member board, appointed by the President.

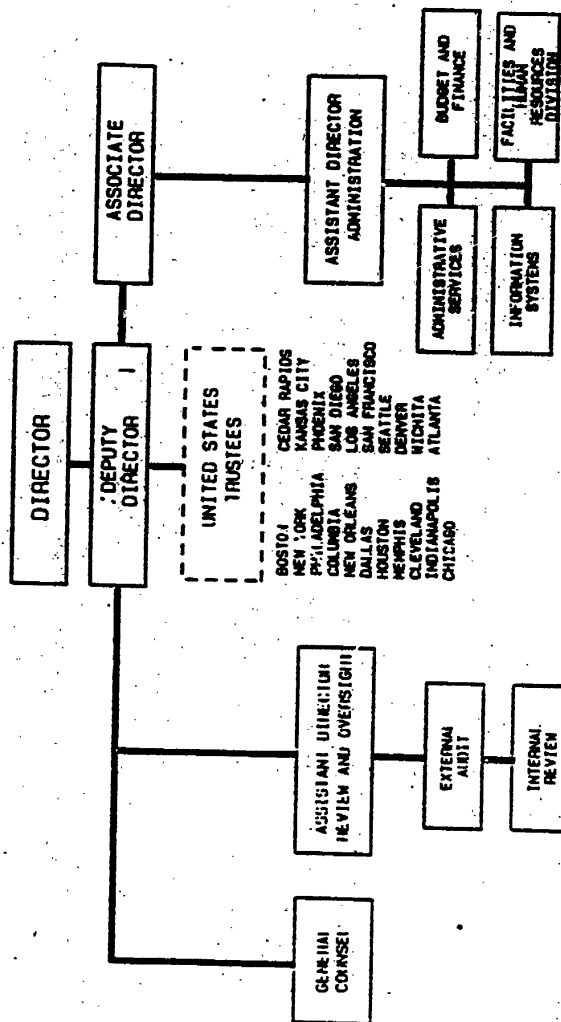
To date, \$1,597,500 has been disbursed to eligible individuals for the redress provisions of the Act, representing 73,478 cases. No additional resources have been provided in the 1994 budget. The Act was requested in the 1987 budget for redress payments. However, recent court cases reversed by the federal appeals court, such as *Romero v. United States* and *Kinda v. United States*, will effect the eligibility of nearly 900 cases.

Further, another lawsuit, *Marion Kanemoto et al. v. William Barr, et al.*, No. C93-20610, was filed on March 22, 1995. This case involves fourteen plaintiffs who were minor children during the war and who were relocated to Japan with their parents. The Act excluded from eligibility any person who returned to Japan during the war. However, based on the Department's new legal interpretation of this statutory language that only those persons who returned voluntarily are ineligible, the minor children who returned involuntarily to Japan will now be eligible for redress. The lawsuit seeks to make this category of citizens eligible. This is the latest of numerous petitions to make this category of citizens eligible. The GSA is unable to project the number of additional eligible persons, who have not yet contacted GSA, because of the lack of dates of birth on some of the historical records.

Department of Justice
United States Trustee Program
Estimates for Fiscal Year 1997
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EXECUTIVE OFFICE FOR UNITED STATES TRUSTEES



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Approved: *Janet Reno* Date: *4/24/94*
 JANET RENO
 Attorney General

United States Trustee Program
Salaries and Expenses
Fiscal Year 1997

The United States Trustee Program is requesting, for 1997, a total of \$11,633,000, 1,045 positions (204 attorneys), and 1,050 workyears. Of this total, \$61,784,000, 886 positions (123 attorneys), and 706 workyears are requested in direct authority and \$49,869,000, 359 positions (81 attorneys), and 344 workyears are requested in offsetting collections.

The United States Trustee Program was established on a pilot basis in 18 judicial districts by the Bankruptcy Reform Act of 1978. It was expanded nationwide by Public Law 99-554, the Bankruptcy Reform Act of 1994. The program currently operates in 21 regions with 93 district offices serving 83 judicial districts. It serves as the "watchdog" over the bankruptcy process.

The program's mission is to act in the public interest to promote the efficiency and to protect and preserve the integrity of the bankruptcy system. It works to secure the just, speedy, and economic resolution of bankruptcy cases; monitors the conduct of parties and takes action to ensure compliance with applicable laws and procedures; identifies and investigates bankruptcy fraud and abuse; and oversees administrative functions in bankruptcy cases.

The program carries out its mission through two basic areas of responsibility. The first is the non-discretionary tasks of providing administrative support to expeditiously move the volume of bankruptcy cases through the bankruptcy process. The second focuses on our "watchdog" role of ensuring that private trustees and debtors adhere to the standards of the law.

A primary goal of the U.S. Trustee Program is to maximize the opportunity for creditors to share in the available assets of the debtors. The program has an obligation to ensure that the bankruptcy system which is intended to provide deserving individuals a fresh start is not misused by debtors who conceal assets, trustees who administer estates to their own improper advantage or professionals who run bankruptcy mills. A new multi-agency cooperative law enforcement effort aimed at prosecuting those who abuse the system was launched by the Attorney General in October 1995. This new effort led by the U. S. Trustee Program and the U. S. Attorneys will ensure that improper conduct which undermines our faith in the integrity of the bankruptcy system will not be tolerated and that criminal actions will be vigorously prosecuted. Since its inception until March 4, 1996, "Operation Total Disclosure" has resulted in 112 criminal indictments in 38 federal judicial districts.

The program carries out its responsibilities through two decision units.

The Administration of Cases decision unit provides resources for the primary mission of the program -- protecting and preserving the integrity of the bankruptcy system.

The Management and Administration decision unit provides the U.S. Trustee program with executive program management, policy direction, legal advice, and administrative support and coordination.

1997 Initiatives:

- (1) Structural Reorganization: The United States Trustee Program has proposed a structural reorganization in 1997. This reorganization evolved from a 6-month review of the program for the Attorney General by the National Academy of Public Administration.

The initiative will (1) streamline operations by reducing the number of regional staff; (2) permit the Program to respond to shifts in bankruptcy filing patterns through attrition, voluntary moves and directed reassignments; (3) maximize productivity by reducing the number of trustee financial reviews and targeting oversight to high risk cases, thus permitting Program staff to expand the effort to address debtor fraud; expand debt collection through the use of outside contractors; increase productivity and efficiency through enhanced automation; and on a pilot basis test the feasibility of using video teleconferencing for debtor and creditor meetings and the feasibility of contracting out and automating the professional fee application review process.

(2) Chapter 11 Disbursement Assessment: This initiative seeks to stabilize the Program's funding by reducing reliance on fees from chapter 11 debtors and to address the anticipated revenue loss resulting from a shift in filings from chapter 11 to chapter 12. The Bankruptcy Reform Act of 1994 increased the overall chapter 11 debt ceiling from \$450,000 to \$1,000,000 thereby increasing the number of individuals and small businesses able to file under chapter 11. The Act made no provision for the loss in revenues that the Program would incur from this expansion of chapter 11. This initiative proposes placing a fee surcharge on chapter 11 receipts which are distributed by attending trustees and depositing those fees as offsetting collections in the U.S. Trustee System Fund. The proposal requires legislative language which is included as a general provision.

(3) Chapter 11 Quarterly Fee Restructuring: This initiative proposes to implement a recommendation of NABA to increase the cap of \$1,000 on chapter 11 quarterly fees to permit proportional payments at the higher end of the fee schedule and to create finer distinctions within the bands of the current fee schedule to more equitably distribute fees among debtors based on disbursements. The initiative is intended to stabilize the Program's fee structure which has been adversely affected by the decline in chapter 11 filings over a four-year period. The proposal would require legislative language, included as a general provision.

United States Trustee Program

For necessary expenses of the United States Trustee Program, as authorized by 28 U.S.C. 597(a), \$11,632,000, to remain available until expended, and to be derived from the United States Trustee System Fund. Provided, That deposits to the Fund shall be available in such amounts as may be necessary to pay refunds due depositors. Provided further, That not to exceed \$49,889,000 of offsetting collections derived from fees collected pursuant to 28 U.S.C. 597a(c) shall be retained and used for necessary expenses in this appropriation. Provided further, That the \$11,632,000 herein appropriated from the Fund shall be reduced as such offsetting collections are received during fiscal year 1997, so as to result in a final fiscal year 1997 appropriation from the Fund estimated at not more than \$61,764,000. Provided further, That any such fees collected in excess of \$49,889,000 in fiscal year 1997 shall remain available until expended but shall not be available for obligation until October 1, 1997. (12 U.S.C. 1904b.)

Note:--A regular 1996 appropriation for this account had not been enacted at the time this budget was prepared. The 1996 amounts included in this budget are based on the levels provided in three continuing resolutions: P.L. 104-91, P.L. 104-92, and P.L. 104-99.

**United States Trustee Program
Salaries and Expenses
Comparison of 1993 Changes
(Dollars in Thousands)**

Activity/Program	1993 President's Budget Request		Reprogrammings		1993 Appropriation Anticipated	
	Pos.	WY Amt.	Pos.	WY Amt.	Pos.	WY Amt.
Direct Authority:						
1. Administration of Cases.....	747	711	368,182	...	675	675 802,438
2. Management and Administration.....	52	50	6,892	...	50	50 5,771
Total.....	799	761	695,074	...	725	725 808,209
Offsetting Collections:						
1. Administration of Cases.....	398	395	42,263	...	393	395 42,263
2. Management and Administration.....	2	2	1,928	...	2	2 1,928
Total.....	400	397	44,191	...	395	397 44,191
Total Authority:						
1. Administration of Cases.....	1,145	1,098	100,425	...	1,068	1,080 94,691
2. Management and Administration.....	54	52	8,820	...	52	52 7,699
Total.....	1,199	1,150	109,245	...	1,120	1,132 102,390

**United States Justice Program
Salaries and Expenses
Summary of Appropriations
(Dollars in Thousands)**

	1987 Estimate		1987 Actual		1987 Budget		1987 Estimate		1987 Estimate	
	Pos.	NY	Pos.	NY	Pos.	NY	Pos.	NY	Pos.	NY
Adjustments to base:										
1986 President's Request	1,100	1,110	1,100	1,110	1,100	1,110	1,100	1,110	1,100	1,110
1986 Appropriation Anticipated	1,110	1,080	1,110	1,080	1,110	1,080	1,110	1,080	1,110	1,080
Mandatory Increases	...	...	...	...	...	...	...	...	...	...
Decreases (automatic, non-policy)	...	...	...	...	...	...	...	...	...	...
1987 Base	1,110	1,080	1,110	1,080	1,110	1,080	1,110	1,080	1,110	1,080
Program Changes (See Program Narrative for Data)	...	...	...	...	...	...	...	...	...	...
1987 Estimate	1,100	1,080	1,100	1,080	1,100	1,080	1,100	1,080	1,100	1,080

	1986 Appropriation		1986 Actual		1986 Budget		1986 Estimate		1986 Estimate	
	Pos.	NY	Pos.	NY	Pos.	NY	Pos.	NY	Pos.	NY
Estimates for Judicial Office:										
1. Administration of Cases	747	711	747	711	747	711	747	711	747	711
2. Management and Administration	88	88	88	88	88	88	88	88	88	88
Total	835	799	835	799	835	799	835	799	835	799

	1986 Appropriation		1986 Actual		1986 Budget		1986 Estimate		1986 Estimate	
	Pos.	NY	Pos.	NY	Pos.	NY	Pos.	NY	Pos.	NY
Other Judicial Offices:										
1. Administration of Cases	940	910	940	910	940	910	940	910	940	910
2. Management and Administration	88	88	88	88	88	88	88	88	88	88
Total	1,028	998	1,028	998	1,028	998	1,028	998	1,028	998

	1986 Appropriation		1986 Actual		1986 Budget		1986 Estimate		1986 Estimate	
	Pos.	NY	Pos.	NY	Pos.	NY	Pos.	NY	Pos.	NY
Total Available:										
1. Administration of Cases	1,000	940	1,000	940	1,000	940	1,000	940	1,000	940
2. Management and Administration	88	88	88	88	88	88	88	88	88	88
Total	1,088	1,028	1,088	1,028	1,088	1,028	1,088	1,028	1,088	1,028

	1987 Estimate		1987 Actual		1987 Budget		1987 Estimate		1987 Estimate	
	Pos.	NY	Pos.	NY	Pos.	NY	Pos.	NY	Pos.	NY
Other Workyears:										
1. Administration of Cases	1,000	940	1,000	940	1,000	940	1,000	940	1,000	940
2. Management and Administration	88	88	88	88	88	88	88	88	88	88
Total	1,088	1,028	1,088	1,028	1,088	1,028	1,088	1,028	1,088	1,028

United States Trustee Program
Reimbursable Resources
Summary of Requirements
(\$ in thousands)

Collections by Source	1996 Actual		1996 Estimate		1997 Request	
	Poa	WY Amount	Poa	WY Amount	Poa	WY Amount
Tax Division	...	12	...	...	...	...
Executive Office of U.S. Attorneys	1	40	1	40	1	40
General Services Administration	...	...	...	17	...	...
Budgetary Resources	1	82	1	57	1	40
Obligation by Program						
Administration of Cases	1	40	1	57	1	40
Management and Administration	...	12	...	...	...	...
Total	1	82	1	57	1	40

United States Trustee Program
Salaries and Expenses
Program Performance Information
Government Performance and Results Act Requirements

Mission: The United States Trustee Program ("the Program") acts in the public interest to promote the efficiency and to protect and preserve the integrity of the bankruptcy system. It works to secure the just, speedy, and economical resolution of bankruptcy cases; monitors the conduct of parties and takes action to ensure compliance with applicable laws and procedures; identifies and investigates bankruptcy fraud and abuse; and oversees administrative functions in bankruptcy cases.

General Goals:

1. To assure that bankruptcy cases are administered with dispatch and that all parties comply with their legal obligations.
2. To assure that an appropriate number of qualified individuals are fairly and impartially recruited and appointed to serve as private trustees.
3. To assure that private trustees adhere to strict fiduciary standards and act to maximize distribution of assets to creditors.
4. To assure that private trustees are subject to close supervision through consistent national standards and policies.
5. To assure that private trustees comply with Program requirements through training, reporting requirements, financial audits, evaluations and investigations.
6. To assure that violations of applicable criminal laws are referred to law enforcement and regulatory agencies.
7. To assure that the cost of administering bankruptcy cases is appropriately monitored so that it is economical and expeditious, that assets are not dissipated, and that distributions are maximized.

**United States Trustee Program
Salaries and Expenses
Program Performance Information**
(\$ in thousands)

ACTIVITY: ADMINISTRATION OF CASES

	Est.	FTE	Actual
Direct Appropriation			
1996 Conference Allowance.....	675	675	\$52,428
1997 Estimate.....	675	675	\$5,716
1997 Estimate.....	675	675	\$5,637
Increase/decrease.....	-37	-18	-709
Officiation Collections			
1996 Conference Allowance.....	383	355	\$42,263
1997 Base.....	383	355	42,263
1997 Estimate.....	252	252	\$7,951
Increase/decrease.....	-26	-13	5,678
Total Federal Reimbursement			
1996 Conference Allowance.....	1,058	1,030	\$94,691
1997 Base.....	1,058	1,030	\$8,409
1997 Estimate.....	925	929	102,318
Increase/decrease.....	-63	-31	4,969

BASE PROGRAM DESCRIPTION: The Administration of Cases Decision Unit has a base program of 1,030 positions (204 attorneys), 1,030 FTE and \$94,691,000, including a direct appropriation of 675 positions (127 attorneys), 675 workyears and \$52,428,000 and offsetting collections of 383 positions (83 attorneys), 355 workyears and \$42,263,000.

Historical Background: The Bankruptcy Reform Act of 1978 established the United States Trustee Program on a pilot basis in 18 Federal judicial districts. With the enactment of the Bankruptcy Judges, United States Trustees and Family Farmer Bankruptcy Act of 1986 (P.L. 99-554), the United States Trustee Program was expanded nationwide to 28 Federal judicial districts. The six judicial districts of North Carolina and Alabama have been exempted from the Program until the year 2002.

The major thrust of these nationwide reforms was to separate the adjudicative and administrative functions in bankruptcy cases. Congress created one agency with responsibility for the administration of bankruptcy estates and to serve as a "watchdog" over the entire bankruptcy process. The Program completed its nationwide expansion in 1989 under the transitional provisions of the 1986 Act. Currently, the Program operates 93 United States Trustee offices nationwide which are responsible for the oversight of over one million pending bankruptcy cases.

The bankruptcy process, both historically and presently, is largely entrusted to private individuals. Whether a chapter 7 (liquidation) case, where assets, if any, are distributed to creditors; a chapter 11 (reorganization) case, where debtors seek to restructure their financial affairs; or a chapter 12 (family farmer) or chapter 13 (individual debtor) case, where debtors seek to restructure their financial affairs, the United States Trustee is appointed by the United States Trustee, except in the chapter 11 cases where the debtor remains in possession. The United States Trustee supervises the conduct of these private trustees and debtors and generally ensures that the interests of the parties are not abridged during the pendency of the cases.

Bankruptcy Fraud: A primary goal of the Program is to assure the opportunity for creditors to share in the available assets of the debtors. This requires that the assets neither be concealed by debtors nor dissipated by private trustees or excessive professional fees and administrative expenses. The Program's supervisory responsibility mandates that a debtor's circumstances be scrutinized and that all assets be included in the estate. To the degree that discrepancies exist, further investigation must be undertaken. When evidence of criminal conduct is found, the Program has a statutory responsibility to develop and refer such evidence to the Federal Bureau of Investigation (FBI) for further investigation and the United States Attorney for prosecution.

The United States Trustee Program performs an important role in the successful investigation and prosecution of bankruptcy fraud. Program staff participate in federal law enforcement efforts, including task force groups and by statute aid and assist U.S. Attorneys in the prosecution of cases, when requested. They also serve as consultants to and witnesses for the U.S. Attorneys and the FBI in their investigations and prosecutions of bankruptcy related crime. By focusing on discrete areas, information or materials which the Program's attorneys and financial analysts have the unique ability to confront, the Program's efforts bolster the efforts of other law enforcement and prosecution agencies. Additionally, the Program serves as a clearinghouse for referrals from private trustees and bankruptcy judges.

Recognizing the role of the U. S. Trustee in the investigation and prosecution of bankruptcy fraud, the Attorney General, in October 1985, implemented a new, coordinated, nationwide prosecutive program. This program was headed by the Assistant Attorney General, who was assigned to the Executive Office for United States Trustees with jurisdiction from the FBI and the Criminal and Tax Divisions of the Department of Justice, the Internal Revenue Service, and the Postal Inspection Service. This new program enhances government-wide cooperation in the investigation and prosecution of bankruptcy fraud by providing a team approach to law enforcement and through joint training programs on the detection, investigation and prosecution of bankruptcy fraud.

On Thursday, February 29, 1996, the Attorney General unveiled "Operation Total Disclosure" citing cases from this new law enforcement effort aimed at prosecuting those who illegally conceal assets, file fraudulent bankruptcy petitions, or otherwise abuse the bankruptcy system. As of March 4, 1996, 112 indictments for bankruptcy fraud have been announced by U.S. Attorneys in 38 federal judicial districts throughout the country. Examples of some of these indictments include:

- A Seattle woman solicited 21.5 million from 15 elderly investors, some of whom gave her their life savings and, after diverting the money to buy condominiums and luxury automobiles, concealed these assets from the court when she declared bankruptcy.
- In a Los Angeles case, the defendants secretly transferred over a million dollars from their troubled gas station into other accounts they controlled and did not disclose the transfer to the bankruptcy court.
- A Palmdale, California man, who claimed to have no remaining inventory when he filed for the bankruptcy of his sporting goods store, was found to have \$70,000 worth of inventory in his garage, car trunk and a storage locker.
- A Pennsylvania man filed for discharge of his debts five times in five years, repeatedly concealing his previous bankruptcies.
- An attorney in Chicago declared personal bankruptcy, concealing at least two bank accounts, several parcels of real estate, a Jeep Cherokee and a BMW.

New Challenges: While Program initiatives in the area of trustee supervision and bankruptcy fraud have begun the process of improving the administration of bankruptcy and the integrity of the bankruptcy system, recent developments outside the control of the Program impose new challenges.

(1) The sharp decline in chapter 11 filings since 1992 has posed a funding dilemma for the United States Trustee Program. Chapter 11 cases generate roughly two-thirds of the Program's revenues; yet, they represent less than two percent of its annual caseload. Chapter 11 filings declined by 45.8 percent from 1993 through 1995. Over the same period, total bankruptcy filings declined only 9.6 percent. In 1995, chapter 11 filings declined by 21 percent from the previous year's filings, while total filings increased by 5.5 percent. As a result, the Program's revenue source is declining while its caseload is again on the increase.



Figure 1



Figure 2

(2) The precipitous decline in revenue has occurred at the same time that new responsibilities have been imposed on the Program. The Bankruptcy Reform Act of 1994 established new procedures for the election of chapter 11 trustees and required the Program to perform new monitoring functions. The Act also recognized the need to ensure that the fee applications of trustees and professionals are appropriate and proper and that applicants have no conflicts of interest. As a result, it required that the Program promulgate nationally uniform guidelines for review of professional fee applications. The guidelines on chapter 11 trustee fees were promulgated in 1995. The guidelines for application and reimbursement of expenses filed under section 506 of the Bankruptcy Code. These guidelines were distributed to the bench and bankruptcy bar for public comment and finalized on January 30, 1996.

(3) The Judicial Conference in October 1985, as directed in the Fiscal Year 1984 Commerce, Justice, State, the Judiciary and Related Agencies Appropriations Act (P.L. 100-121), implemented a pilot program to study the effect of allowing informal payments (IFP) filing of bankruptcy petitions. The project will continue for 3 years in six judicial districts where the administration of bankruptcy cases is overseen by the United States Trustee Program (the Southern District of Illinois, the Eastern District of Pennsylvania, the District of Montana, the Eastern District of New York, the Western District of Tennessee and the District of Utah). Each IFP application calls for a special review by the United States Trustee to determine whether the granting of relief would be appropriate and the filing of a comment or objection with the court. Thus, the IFP Project will create additional responsibilities for United States Trustee personnel, while resulting in a decrease in income for the United States Trustee System Fund.

(4) Finally, the National Academy of Public Administration (NAPA) was commissioned by the Department of Justice in November 1984, to evaluate the strengths and weaknesses of the Program's current structure and the feasibility of improving Program performance by recommending an alternative administrative management structure. NAPA's report to the Secretary of Justice in March 1985, entitled "The United States Trustee Program: A Study of the Program's Structure, Accountability and Private Trustees and with Developing an Effective Management Control System to Promote Uniform and Professional Standards." It also recognized that the Program had achieved its primary mission of increasing public confidence in the bankruptcy system and stated:

The bankruptcy system was plagued with many problems before 1978, including a widely held perception of cronyism and other self-dealing by professionals and insiders at the expense of debtors, creditors, and the public...the USRP was established to improve bankruptcy administration and to increase the public's confidence in the bankruptcy system. The overwhelming weight of testimonial evidence supports the conclusion that the Program has achieved this primary mission.

At the same time, NAPA recommended a number of operational changes in the Program. These recommendations included revising the Program's regional structure, consolidating offices, increased use of outside contractors, adjusting the Program's fee structure to rationalize chapter 11 quarterly fees, changing the current system of case monitoring and administration activities, changing the approach to financial review of trustees, and improving automation links to courts and private trustees.

The Program's fiscal year 1987 budget request addresses the many new challenges confronting the Program.

PLANNED INITIATIVES:

	FY87	FY88	FY89
Structural Reorganization:			
Direct Appropriation.....	-37	-18	-9709
Offsetting Collections.....	26	-31	4,428
Total.....	-11	-49	4,389

This Initiative seeks to address the following objectives:

- (1) To reduce the number of United States Trustee regions from 21 to 11 and streamline operations by reducing regional staff;

1. "Alternative Structures for the United States Trustee Program," report by a Panel of the National Academy of Public Administration for the Department of Justice, 31.

- (2) To respond to the current decline in bankruptcy filings and the shift in filing patterns through attrition, voluntary moves, and directed reassignments;
- (3) To maximize productivity by reducing the number of trustee financial reviews and targeting oversight to high risk cases, thus permitting existing staff to expand the effort to address bankruptcy fraud;
- (4) To expand debt collection through the use of outside contractors;
- (5) To increase productivity and efficiency and provide for better access to bankruptcy data for the Congress, courts, private trustees, and general public through enhanced automation;
- (6) To test the feasibility of using video teleconferencing for holding mandatory meetings of debtors and creditors; and
- (7) To test the feasibility of contracting out the Program's professional fee application review responsibilities and the use of automation in the analysis of fees.

In May 1995 following the Program's review by a panel of the National Academy of Public Administration, the Attorney General asked the Program's Director to take a fresh look at the United States Trustee Program and to develop an alternative organizational structure based on the lessons learned in the Program's first eight years and the need to adopt the most economical and efficient managerial configuration.

This initiative would implement a structural reorganization of the United States Trustee Program to streamline its operations. For the Administration of Cases Decision Unit, it will result in a reduction of 43 positions (6 attorneys), 31 FTE and \$1,254,000. It also includes increases of \$6,000,000 for enhanced automation of field offices, \$123,000 for a video teleconferencing pilot project and \$100,000 for a fee application review pilot project, resulting in a net increase of \$4,969,000. Certain of the proposals can be made without statutory change, others require legislative action and are proposed to take effect after the Bankruptcy Review Commission has a chance to consider them. All would produce a leaner Program while maintaining its effectiveness.

The following chart sets out the personnel savings achieved by components of the reorganization for each of the Program's decision units:

PROPOSED SAVINGS BY REORGANIZATION COMPONENT	ADMINISTRATION OF CASES		MANAGEMENT & ADMINISTRATION	
	FTE	FTE	FTE	FTE
REDUCE # OF REGIONS	11*	-6*	...	...
REDUCE REGIONAL STAFF	-42	-21	...	...
ATTRITION	-21	-10	-2	-1
TOTAL SAVINGS	-74	-37	-2	-1

*FT 1997 reductions total 65 positions and 32 FTE. Savings of 11 positions and 6 FTE associated with a reduction in the number of U.S. Trustees would require substantive legislation. The proposal will not be formally submitted until the Bankruptcy Review Commission has had an opportunity to study it.

Reduce U.S. Trustee Regions from 21 to 11: The reorganization would reduce the number of United States Trustee (UST) regions from 21 to 11, making them generally the same as each of the federal judicial circuits (with the exception of the DC circuit, which would be aligned with the program's Region 4) or some smaller configuration. The program's current configuration generally follows circuit lines on the east coast, but the merger of regions in other parts of the country would be necessary to comport with circuit alignment. The following chart shows the correlation between UST Regions and the Federal Judicial Circuits.

Judicial Circuit	DC	1	2	3	4	5	6	7	8	9	10	11
U.S. Trustee Region	4	1	2	3	4	5, 6, 7	8, 9	10, 11	12, 13	14, 15, 16, 17, 18	19, 20	21

The program's structure places a United States Trustee in charge of a defined geographic or judicial area. That structure allows the program to successfully operate very small offices, many with less than five staff members, thereby providing broad service to the bankruptcy courts which sit in more than 300 locations nationwide. Bankruptcy courts traditionally have been placed as locally as possible. They in turn closely reflect the local legal culture and the wide range of equity powers of the local bankruptcy bench which together govern local bankruptcy practice. The UST's discretion, judgment, and capacity to adapt policies to local conditions underpin the program's independence that is critical to properly defending the public interest and the integrity of the bankruptcy system. The United States Trustee has been characterized by Congress as "the bankruptcy watchdog".

Unlike the United States Attorney model which places one of these senior policy level positions in every judicial district, the UST model recognizes that bankruptcy administration can be successfully carried out with a smaller number of these senior level positions. When Congress expanded the U.S. Trustee Program nationwide in 1984, it established 21 such positions. We believe the program has progressed to the point where it can now operate with as many U.S. Trustee positions as there are judicial circuits."

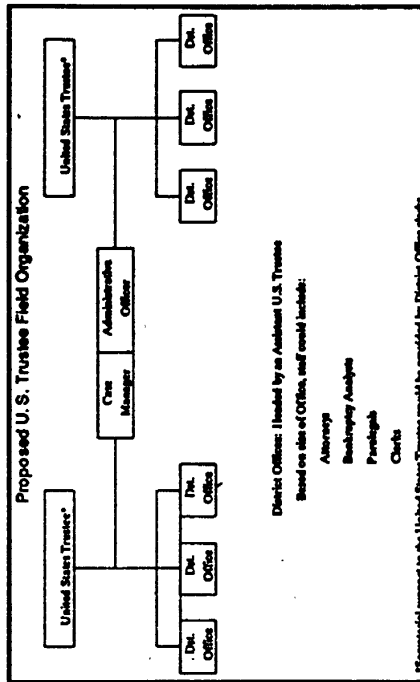
The circuit-based structural model has a number of advantages. It is a rational and easily understood concept, likely to gain acceptance from the bench, the bankruptcy bar, and possibly the Congress. As a variant of the current structure, it provides stability by permitting many of the current management practices and activities to continue. The proposal maintains a strong executive level presence in the field, dedicated to ensuring that the offices are well managed and take appropriate positions in litigation and in regulating private trustees. Increasing the geographic and judicial areas served by each of the USTs will provide them increased financial resources to hire additional staff and to provide training and continuing education. Bankruptcy case filings regularly reflect economic and employment changes and tides that cover at times wide areas and at times highly localized areas.

Revising the program's structure will require legislation. The budget submission recommends delaying the implementation of this first component of the plan until the National Bankruptcy Review Commission, established by the Bankruptcy Reform Act of 1994 (Public Law 103-394, 108 Stat. 4106 (1994)) has an opportunity to review and comment upon it. The Review Commission has a broad mandate. Providing the recommendation to reduce the number of U.S. Trustee positions to the Commission ensures that the restructuring will ultimately be consistent with the Commission's review of the entire bankruptcy system.

¹ Reduction to 11 regions may well draw interest. It should be noted that the initial design for the U.S. Trustee Program provided for 22 regions. Congress in 1979 rejected that number, at one point considered as many as 30 regions, but ultimately provided for 21 regions.

Reorganize Regional Staff: This component of the restructuring initiative reduces the number of regional personnel who service the USTs. For the Administration of Cases decision unit, it will result in a reduction of 13 positions, 21 workyears and \$136,000, including 25 positions, 12 workyears and \$204,000 in direct authority and 17 positions, 9 workyears and \$132,000 in offsetting collections. The proposal consolidates the administrative functions currently performed in each region by separate staff so that a single staff person would be shared between two or more United States Trustees. This streamlining effort eliminates Regional Assistant U.S. Trustees, Regional Analysts and Regional Attorneys. It cuts the Program's Administrative Officers and Case Managers by half and eliminates several clerical positions.

The following organizational chart displays the revised regional structure for two sample regions and its relationship to the district offices:



Respond to Shifts in Caseload Using Attrition and Relocation: The Program proposes addressing the critical challenge of responding to changing bankruptcy filing and case load patterns through the use of attrition, voluntary reassignment, and reassignments. The Administration of Cases decision unit will eliminate 13 positions, 21 workyears and \$136,000 in offsetting collections. The proposal consolidates the administrative functions currently performed in each region by separate staff so that a single staff person would be shared between two or more United States Trustees. This streamlining effort eliminates Regional Assistant U.S. Trustees, Regional Analysts and Regional Attorneys. It cuts the Program's Administrative Officers and Case Managers by half and eliminates several clerical positions.

Recent filing trends indicate that the decline in some chapters has abated. Nationwide, bankruptcy case filings for the 12 months ending September 30, 1994, totaled 883,427 in 1994, a decline of 13.1% from the 1993 level of 1,011,000. For the same period ending September 30, 1994, but a decline of 13.1% from the 1993 level of 1,011,000. For the same period ending September 30, 1993, the Program has responded to the decline in filings over the last several years by reducing its personnel. Since the end of FY 1993, the Program has reduced its FTE from a high of 1,103 FTE to its FY 1995 end of year level of 1,071 FTE.

It is anticipated that through a combination of attrition, voluntary relocations, and directed reassignments, a reduction of 23 positions can be accomplished in FY 1997 while preserving the important benefits of the current field office structure. Moreover, the Program on a pilot basis will test new options such as changing the duty-station of attorney personnel to permanent meeting room space in order to service an area which requires the presence of Program personnel but something less than a full field office complement.

Maximizing Productivity of Existing Staff. Four years ago, in response to concerns raised by the Congress and the Department, the Program embarked on an ambitious initiative to oversee the operations of chapter 7 private trustees and uncover trustee misconduct. That initiative has been successful. A large number of non-productive trustees have resigned from the panels, the number of old cases sitting on the docket have been reduced dramatically, and the number of significant deficiencies found by audits has peaked. It is now appropriate to review the scope and intensity of our chapter 7 trustee oversight. The Program's Chapter 7 Policy Committee has been meeting to develop recommendations to make trustee reviews more flexible and focused on those trustees whose operational profile demonstrates a higher risk of financial or case administration problems. Personnel resources that have been dedicated to the Program's chapter 7 initiative can be shifted to address new priorities, most notably debtor fraud.

The bankruptcy system is susceptible to fraud and abuse because of the volume of bankruptcy cases and the economic incentives which prevent close scrutiny of most cases. The Program is presently cooperating with the U.S. Attorneys, the FBI and other federal law enforcement agencies in a major new cooperative bankruptcy fraud initiative, Operation Total Disclosure.

The Program has also launched a nationwide drive to stem the growth in bankruptcy "petition mills" which disproportionately prey on minorities and the poor in our inner cities. The 1994 Bankruptcy Reform Act imposed stringent new requirements on all non-lawyers who prepare bankruptcy petitions for compensation. The new law established new penalties for those individuals who negligently or fraudulently prepare petitions.

In May 1995, the Associate Attorney General, along with the United States Attorney, the United States Trustee for Region 11 (Chicago), and the FBI, jointly announced seven separate multi-count indictments against bankruptcy petition preparers. The indictments were the first in the country brought under 18 U.S.C. 1593, which prohibits petition preparers from knowingly filing misleading or false information with the court. The indictments also charged that the defendants had engaged in a pattern of filing multiple fraudulent bankruptcies in Chicago and through other fraudulent means. The defendants would contact distressed homeowners by obtaining their addresses from the foreclosure sales listed in local papers and send them solicitation letters. The solicitation letters contained false and misleading statements and were designed to permit the defendants to defraud the homeowners. In many instances, the defendant filed chapter 13 bankruptcy petitions without the knowledge or consent of the homeowners. In other instances, the defendants convinced the homeowners to send mortgage payments directly to them under the false promise that the defendants would use those funds to acquire refinancing. Over 100 individuals, lending institutions and the bankruptcy court were victims of this scheme.

¹ Chapter 7 is the liquidation chapter of the Bankruptcy Code (11 U.S.C. §701 et seq.). It is the traditional bankruptcy route used by individual or consumer debtors, as well as business debtors.

During fiscal year 1995, the Program's bankruptcy fraud efforts resulted in \$54 criminal referrals. In its short history, the United States Trustee Program has made a marked and positive difference in the bankruptcy system. As the watchdog over the bankruptcy process, the Program has improved the integrity of the system and worked to maximize the return of estate assets to creditors. The following anecdotal examples highlight some of the Program's successes.

• **The U.S. Trustee's Office in Region 16 (Los Angeles)**, was involved in one of the largest crackdowns on credit card fraud (named "Operation Repayment"). Federal authorities arrested 16 people on November 30, 1995 and shut down two rings accused of playing a major role in bilking \$100 million from financial institutions nationwide. Operation Repayment was initiated by a referral from the U.S. Trustee's Office after noticing a pattern of credit card "bust-out" cases. The scheme involved sending insufficient funds "booster" checks in very large amounts to credit card companies and taking advantage of the immediate credit established for a period before the checks bounced. During this gap period, the perpetrators would go on organized shopping sprees or obtain large cash advances. When the bills came due, they would file bankruptcy.

• **In Region 21 (Atlanta)**, a co-owner of the nation's largest private home-health care company, **First American Health Care of Georgia, Inc.**, which filed for protection under chapter 11 of the Bankruptcy Code, was found guilty of 40 charges of Medicare fraud. Medicare payments accounted for 97 percent of this health care corporation's annual revenues.

• **In Region 17 (San Francisco)**, a Las Vegas grand jury returned a 30 count indictment in connection with the **Motel Conquistador, Inc.** bankruptcy case charging a conspiracy to divert approximately \$22 million from the bankruptcy estate. The indictment is the result of an investigation conducted by the Organized Crime Strike Force. The Office of the U.S. Trustee referred the case to the United States Attorney and was involved in the investigation.

• **Expansion of Debt Collection Efforts:** Consistent with the Attorney General's guidance on financial and affirmative civil litigation, contacts have been made with the Department's Debt Collection Office to begin the process of contracting for the collection of delinquent and unpaid quarterly fees for dismissed chapter 11 cases. Currently, the Program collects 72.5 percent of chapter 11 quarterly fees nationwide, \$36 million in 1995. Collections of quarterly and filing fees paid by chapter 11 (reorganization) debtors fund two-thirds of the Program's costs. The balance comes from filing fees paid by debtors filing cases under other chapters of the Bankruptcy Code and interest on investments.

• **Enhanced Automation Capacity:** The restructuring initiative includes a request for \$6,000,000 in offsetting collections to enhance the automation of its field structure; redesign its case management data base to facilitate access to case information; permit file sharing; enhance communications capacity; provide teleconferencing capability; and improve electronic transfer of data between the Program, the courts and private trustees.

The request is consistent with NAPA's recommendations which cited a need for enhanced telecommunications and computing capacity to permit greater exchange of data and information between Program offices, the courts and private trustees. The enhanced communications and computer capability provided by the initiative is critical to the successful restructuring of the Program.

The Program's current automated system is plagued with capacity limitations and is lacking the technological sophistication necessary to meet increasing workload demands such as the need for statistical information about the bankruptcy caseload, data to permit performance evaluation, the ability to share files, and the need to communicate electronically among offices. In an attempt to address the inadequacies of the current system, the Program has embarked

¹ "Alternative Structures for the United States Trustee Program", Report by a Panel of the National Academy of Public Administration for the Department of Justice, May 1995, 73.

on a long-term effort to raise the technological standards needed to provide appropriate bankruptcy oversight.

In 1992 and more recently in 1994, the United States Trustee Program completed extensive studies of the current automation environment and the future direction of its automation program. These studies serve as the basis for upgrading the Program's Automated Case Management System (ACMS). In addition, an Inspector General audit of ACMS¹ identified important issues that will drive the replacement of the aging computer system.

More recently, the Program convened an Automation Improvement Working Group, comprised of regional personnel to define the business requirements of the new system. This group has worked in conjunction with the requirements analysis and design team to develop a new system architecture. The new system architecture will provide the United States Trustee Program with a modern, integrated, and scalable information system. The objective of the USIMS project is to increase the United States Trustee Program's ability to assist the Program in carrying out its mission. The long-range goals of the Program require modern computer support to be effective.

Field offices have experienced difficulty tracking bankruptcy case information due to overloaded and outdated equipment. The growth in bankruptcy activity since 1989 has resulted in inadequate database support to monitor the liquidation and distribution of estate assets. In addition, the transfer of case closing responsibilities from the Judiciary to the United States Trustee Program has required additional database support to capture more extensive bankruptcy estate data.

The Program's 93 field offices do not currently have the electronic communications capability to permit file sharing and inter-office communication. Nor does the Program currently have the modern computer data analysis capability it needs for financial statement analysis and case management. The USIMS project will allow the Program to pursue comprehensive performance, or establish program objectives. The USIMS project will allow the Program to pursue comprehensive approach to automation which will result in improved information management in the field, as well as at a policy level.

There are many benefits of a carefully planned migration to a new automation platform. Beyond the expected technical improvements in responsiveness and reliability, the Program anticipates a greater degree of information reporting and analysis. The importance of timely, complete, and accurate information cannot be overstated. The ability to communicate electronically both internally and externally with private trustees, the bankruptcy courts, academics interested in the bankruptcy process, and the general public will reduce costs and enhance efficiencies.

USIMS improvements to date have been financed using base resources. Further system improvements will require additional resources if they are to be provided in a timely manner.

When complete, these enhancements will provide the Program with additional options to use resources efficiently and for developing non-traditional methods of handling our caseload. Among other things, we are considering teleconferencing possibilities for court hearings and creditor meetings to cut time and travel, particularly for outlying places with light caseloads.

Teleconferencing Pilot Project: The Program is requesting \$123,000 in offsetting collections to implement a pilot project using video teleconferencing to carry out mandatory § 341 Code (11 U.S.C. § 341) meetings of debtors and creditors. As personnel resources available to the Program continue to decline, it becomes necessary to pursue alternative means of carrying out the Program's statutorily mandated responsibilities.

¹ "Monitoring of Private Trustees", Audit Report, Audit, Division, Office of the Inspector General, U. S. Department of Justice, September 1992.

This initiative will establish a pilot program in two or three regions where it is proposed the mandatory § 341 Code meetings of debtors and creditors could be conducted using teleconferencing facilities available in either the commercial sector or on a reimbursable basis with the Executive Office for United States Attorneys and other federal agencies (e.g., the Internal Revenue Service or Defense Department agencies). The benefit of such a pilot project is that it would reduce the amount of valuable staff time spent in traveling to locations where § 341 Code meetings are held but where the U.S. Trustee Program does not currently have an office.

The Program proposes to test the pilot in regions with a number of relatively remote locations requiring extensive travel time. For example, in Region 15, headquartered in San Diego, CA there are significant distances between the Program's field offices and meeting sites. Moreover, two areas in Region 15 -- Agaña, Guam and Saipan in the Northern Mariana Islands -- require Program staff to cross the international dateline. The ability to conduct § 341 Code meetings via modern telecommunications equipment would improve the utilization of the Program's personnel resources and provide increased convenience to debtors and creditors through improved meeting scheduling.

Fee Application Review Pilot Project: The recent NAVA Report recommends the increased use of outside contracts in the operation of the Program. An increase of \$100,000 in offsetting collections is requested to carry out a pilot project to test the feasibility of contracting out the professional fee review responsibilities of the United States Trustee Program.

The Bankruptcy Reform Act of 1994 amended the responsibilities of the United States Trustee under 28 U.S.C. § 586(a)(3)(A) to provide that, whenever the United States Trustee considers it appropriate, they will review applications for compensation and reimbursement of expenses under section 330 of the Bankruptcy Code, in accordance with procedural guidelines adopted by the Executive Office for United States Trustee. The Program issued guidelines for review by the bench and the bankruptcy bar on March 22, 1995, and finalized those regulations on January 30, 1996.

Recognizing that the final authority to award compensation and reimbursement under the Bankruptcy Code is vested in the courts, the guidelines focus on the disclosure of factors relevant to a proper award under the law, including: the time spent on the services; the rates charged for the services; whether the services were necessary to the administration of the estate; the time the services were rendered; whether the services were rendered in accordance with the guidelines under title 11; the nature and complexity of the services; the qualifications of the practitioner; the complexity and importance, and nature of the problem; issue, or task addressed; and whether compensation is reasonable, based on the customary compensation charged by comparably skilled practitioners in cases other than those under title 11.

These new guidelines will facilitate the review of professional fee applications by better enabling the reviewer to evaluate the nature, extent, and value of services for which the reimbursement of expenses is sought. The guidelines will assist all interested parties to ensure that awards of compensation and expenses are both reasonable and necessary. The pilot projects would be carried out under the supervision of the United States Trustee in several regions reflecting the vast diversity of Program offices both in terms of caseload and personnel resources. They will test the feasibility and cost of contracting out a case management function and of using ADP technology to review fee applications.

In addition, contractor support in the area of fee application review should permit Program personnel to better focus their efforts on the more significant case management responsibilities. It will also ensure that the process of reviewing professional fees receives the dedicated attention it deserves. Unreasonable professional fees result in the dissipation of bankruptcy estate assets which are then not available for return to creditors. They also lead to dissatisfaction with the bankruptcy system on the part of the public.

Chapter 13 Disbursement Assessment:	Est.	FTE	Amount
Direct Appropriation.....
Offsetting Collections.....
Total.....	\$6,233

This initiative seeks to address the following objectives:

- (1) To stabilize the Program's funding source by reducing the Program's reliance on chapter 11 of the Bankruptcy Code and to make more equitable the sharing of the cost of the bankruptcy process among the debtors who report to and benefit from that process.
- (2) To make up for the potential loss in funding that will accompany a shift in filings from chapter 11 to chapter 13 of the Bankruptcy Code and to permit more comprehensive review of the chapter 13 debtors.

The initiative would raise \$6,233,000 by imposing a surcharge on chapter 13 receipts which are disbursed by standing trustees. The fees would be deposited as offsetting collections in the United States Trustee System Fund to support Program operations. Legislative language is required to implement the initiative.

The Bankruptcy Reform Act of 1994 increased the overall debt ceiling for chapter 13 debtors from \$450,000 to \$1,000,000. It is anticipated that the increase in the debt ceiling will result in a shift of some chapter 11 filings to chapter 13, resulting in an increase in business filings, and a resultant expansion in chapter 13 filings.

It would appear that the shift in filings from chapter 11 to chapter 13 has begun. For example, as noted in Figure 3, chapter 13 business filings declined by 12.3 percent over the 12-month period from September 30, 1993 to September 30, 1994. Following enactment of the Bankruptcy Reform Act of 1994, chapter 13 business filings increased by 9.2 percent over the 12-month period ending September 30, 1995. During fiscal year 1995, total chapter 13 filings also increased by 9 percent, while chapter 11 filings decreased by 21 percent. It is reasonable to assume that a portion of this growth can be attributed to the new Act.

Because the Bankruptcy Reform Act made no adjustment to the Program's funding structure to compensate for the increase in the chapter 13 threshold, any shift in filings from chapter 11 to chapter 13 will result in decreased revenues for the Program. In chapter 11 cases, the Program receives \$400 from the chapter 11 filing fee paid to the Bankruptcy Court. Quarterly fees range from \$250 to \$5,000, based on disbursement levels of debtors. By contrast, the Program receives only \$30 for each Chapter 13 case filing. Chapter 13 filing and quarterly fees account for approximately two-thirds of the Program's total fee receipts. This, a shift in filings from chapter 11 to chapter 13 would significantly reduce the revenues available to the Program to support its operations. If the United States Trustee System is to remain a self-funded system, historically not intended to be dependent on the public fisc, it is necessary to look to other chapters of the Bankruptcy Code for sources of revenue.

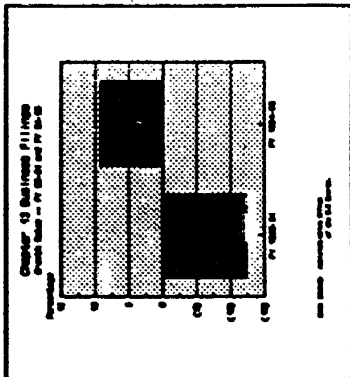


Figure 3

The chapter 13 initiative proposes to impose a graduated surcharge on receipts which are disbursed by chapter 13 standing trustees. The surcharge is based on the percentage of receipts standing trustees are able to retain for the expenses of their operation. Trustees with approved budgets of 0-6.0 percent of total receipts would be assessed an additional surcharge of one-half of one percent. For those trustees with approved budgets of 6.1-8.0 percent of total receipts, the surcharge would be one-quarter of one percent. There would be no surcharge for trustees with budgets over 8.0 percent of total receipts. The graduated assessment is structured in such a manner as to impact those trustee operations most able to handle the assessment because of the volume of cases and the amount of assets flowing through the operation. The statute fixes a maximum of 10 percent of receipts for costs of administration of a chapter 13 case. This proposal would not cause that statutory maximum to be exceeded.

The initiative is consistent with the increased attention given to chapter 13 by the Program over the last several years. Program personnel have worked to develop policies and require fiduciary standards with regard to chapter 13 estates. The process of implementing these standards has begun and once implemented, additional efforts will be required to ensure compliance with the policies and guidelines.

	DEB.	CR.	Amount
Chapter 13 Quarterly Fee Restructuring:			
Direct Appropriation.....
Offsetting Collections.....	\$13,400
Total.....	13,400

This initiative seeks to address the following objectives:

- (1) To stabilize the decline that has occurred in Program's revenue in the last several years; and
- (2) To rationalize the fees assessed on the disbursements of chapter 13 debtors, making the current fee structure more equitable.

The initiative would raise an additional \$13.4 million in chapter 13 quarterly fees, which would be deposited as offsetting collections in the U.S. Trustee System Fund to support Program operations. The initiative would require legislative language.

The National Academy of Public Administration, which studied the U.S. Trustee Program over a six month period in 1991 to determine the feasibility of alternative structures, included in its report recommendations for making the quarterly fee structure more equitable. It suggested increasing the cap on quarterly fees, currently set at \$5,000, to permit proportional payments at the higher end of the fee schedule. Currently, debtors with quarterly disbursements of \$3 million and above pay the same maximum \$5,000 fee.

NAPA also recommended creating finer distinctions within the bands of the current fee schedule to more equitably distribute fees among debtors based on disbursements. Currently debtors with quarterly disbursements of \$15,000 pay the same quarterly fee as those with disbursements of \$149,000; similarly, debtors with disbursements of \$500,000 pay the same quarterly fee as those debtors with disbursements of \$2.9 million.

The Program has adopted NAPA's suggestion that the current chapter 13 quarterly fee structure could be greatly improved by increasing the cap and by rationalizing the fee assessed on the disbursements of chapter 13 debtors. A comparison between the current quarterly fees and this proposal is set out in the following table.

COMPARISON OF CURRENT AND PROPOSED QUARTERLY FEES

Quarterly Disbursements	Current Fee	Proposed
\$0 to 14,999	\$250	\$250
15,000 to 74,999	500	500
75,000 to 149,999	750	750
150,000 to 224,999	1,250	1,250
225,000 to 299,000	1,250	1,500
300,000 to 399,999	2,750	2,750
1,000,000 to 1,999,999	2,750	5,000
2,000,000 to 2,999,999	2,750	7,500
3,000,000 to 4,999,999	5,000	8,000
5,000,000 and up	5,000	10,000

As noted in the Base Program Description, the recent decline in chapter 11 filings has posed a funding dilemma for the Program. Fiscal year 1995 represents the fourth consecutive year in which chapter 11 filings have declined. It is necessary to stabilize the Program's funding and to provide a means of ensuring adequate resources for the U. S. Trustee Program.

MANAGEMENT AND ADMINISTRATION

	FY94	FY95	Amount
Direct Appropriation			
1996 Conference Allowance.....	50	50	\$2,771
1997 Base.....	50	50	5,120
1997 Estimate.....	49	49	5,127
Increase/Decrease.....	-1	-1	-6
Offsetting Collections			
1996 Conference Allowance.....	2	2	\$1,938
1997 Base.....	2	2	1,939
1997 Estimate.....	2	2	1,928
Increase/Decrease.....	...	...	...
Total Funded Request			
1996 Conference Allowance.....	52	52	\$7,499
1997 Base.....	52	52	8,120
1997 Estimate.....	51	51	8,055
Increase/Decrease.....	-1	-1	-65

BASE PROGRAM DESCRIPTION: The Management and Administration base program totals 52 positions (6 attorneys), 52 workyears and \$8,120,000. This total includes 50 positions (6 attorneys), 50 workyears and \$6,192,000 in direct authority and 2 positions, 2 workyears and \$1,928,000 in offsetting collections.

The Management and Administration decision unit has a clearly defined leadership role in 1) developing and directing the Program's long and short term goals, adopting uniform policies and assessing the efforts of the Program's field offices; 2) supervising the Program's litigation activities; 3) conducting the inquiries into misappropriation of funds by private trustees; 4) developing audit policies and private trustee reporting requirements; 5) coordinating and supervising the resolution of the audits; and 6) providing administrative services such as personnel, procurement and contracts, automation, budget and finance, training, and facilities management.

The Executive Office for United States Trustees (EOUST) located in Washington, D.C. provides this centralized support. The EOUST is composed of the Office of the Director, the Office of the General Counsel, the Office of Review and Oversight, and the Office of Administration.

Office of the Director: The Office of the Director provides comprehensive policy and management direction to the United States Trustees and their staff, as well as establishing policies and guidelines for the operations of the EOUST. It is responsible for developing and implementing streamlining initiatives, strategic planning, performance evaluation, and ensuring that the Program makes steady progress toward achieving its mission of improving the integrity of the Bankruptcy system. The Office of the Director also has the primary responsibility for liaison with the Department, the Bankruptcy Courts, private trustee organizations and the Congress.

Recognizing the importance of liaison with the Bankruptcy Courts, the Program's Director recently established an advisory board made up of bankruptcy judges from five areas throughout the country. It is anticipated that this advisory group will provide input into Program policies and guidelines as they are developed and that it will assist in analyzing the impact of such policies and guidelines on other participants in the bankruptcy system.

Consistent with the priorities of the Attorney General, the Office of the Director and the Office of General Counsel have begun the development of an Alternative Dispute Resolution (ADR) process for bankruptcy. A cadre of Program personnel will be trained in resolving disputes through mediation in an effort to reduce the number of disputes that require litigation.

The pilot project is being carefully structured to define the role of participant litigator and reduce any potential conflicts of interest. The purpose of the pilot is to evaluate the results of bankruptcy cases, thereby increasing the return to creditors. As a general rule, the longer a case stays in the system, the fewer assets there are to distribute.

General Counsel: The Office of General Counsel (OGC) provides legal support and training to attorneys in the field to ensure that the Program maintains consistently high standards of advocacy. It is involved in every major case, including all appeals. OGC is responsible for coordinating with the Department's Office of the Solicitor General. It provides house counsel services, reviewing Program policies and proposing legislation. It also serves as the source of ethics information and direction for Program personnel and is responsible for responding to inquiries made of the Program by Members of Congress and others.

The demands imposed upon the General Counsel's office have expanded as the caseload has grown and as the Program has developed and implemented more aggressive enforcement policies. The commencement of enforcement action requires rigorous preparation and consistently high standards of advocacy. Because the United States Trustee Program has no statutory authority to remove a trustee who violates the public trust, the Program's enforcement efforts are successful only if upheld in court.

Office of Review and Oversight: The Office of Review and Oversight (ORO) assists the U.S. Trustee in monitoring and supervising private trustees. It responds to questions from the field regarding issues of trustee supervision, analyses trustee security forms and background checks, reviews audit findings, facilitates the reconstruction of trustee financial records, and reviews the budgets of the Chapter 13 standing trustees. ORO also collects program data and facilitates the peer review process.

Office of Administration: The Office of Administration consists of three divisions -- Resources, Administrative Services, and Information Systems. The Office's responsibilities include managing the Program's independent personnel authority, managing a nationwide office space program, coordinating procurement actions and managing Program-wide contracts, providing daily technical advice and support regarding the automated case management system and other computer-related activities, managing the financial operation of the United States Trustee System Fund, and coordinating and developing the Program's budget and resource plan. As the Program moves to test many of the NARA recommendations on a pilot basis, particularly in the area of outside contractors, the workload of the Office will grow. The Office of Administration will be responsible for putting contracts in place and for evaluating the Office's performance in conjunction with other Program divisions, establishing meaningful criteria to evaluate the performance of the contract.

PROGRAM CHANGES

	Pos.	ZTS	Amount
Structural Reorganization:			
Direct Appropriation.....	-2	-1	-\$65
Offsetting Collections.....	4-2	4-1	4-1
Total.....			-65

This program change reflects the reductions in Management and Administration associated with the Program's reorganization initiative. Reductions in this decision unit would be achieved through attrition.

PERFORMANCE MEASUREMENT TABLE: PRESENTED BY DECISION UNIT

DECISION UNIT: ADMINISTRATION OF CASES The Administration of Cases Decision Unit-- Works to secure the just, speedy, and economical resolution of bankruptcy cases; Monitors the conduct of parties and takes action to ensure compliance with applicable laws and procedures; Identifies and investigates bankruptcy fraud and abuses									
PERFORMANCE INDICATOR INFORMATION									
Type of Indicator	1983	1984	1985	1986	1987	1988	1989	1990	1991
Performance Indicators	Actual	Target	Actual	Target	Actual	Target	Actual	Target	Actual
Input									
1 Bankruptcy Filings Total	997,285	837,941	821,326	881,422	954,379	984,680	984,680	984,680	984,680
Chapter 7	421,071	371,071	364,412	384,379	425,799	444,071	444,071	444,071	444,071
Chapter 11	211,111	191,111	184,412	194,379	225,799	244,071	244,071	244,071	244,071
Chapter 12	11,111	11,111	11,111	11,111	11,111	11,111	11,111	11,111	11,111
Chapter 13	254,092	245,648	239,401	271,620	294,469	304,681	304,681	304,681	304,681
2 Complete Referrals received regarding private trustees									
3 % of 200,000 out of case on late fee									
4 % of Projects									
5 % of 121,000 Teleconferencing									
6 % of 100,000 for application review									
Output/Activity									
5 Reduce the number of non-prior trustees administering cases	93	83		94	69				
6 Reduce time needed before a first Ch. 11 reorganization plan is filed with the court Plan filed within 1 year	26.3%	26.6%		26.3%	26.6%				
7 Increase the % of chapter 11 cases with creditors committee	16.3%	16.7%		16.3%	16.6%				
8 Work to reduce unreasonable professional fees Publish Fee Guidelines as required by Bankruptcy Reform Act Finalize Fee Guidelines Percent of unreasonable fee applications successfully challenged									
9 Reduce % of chapter 13 standing trustees with operating budgets in excess of 8%									
10 Train Managers on chapter 11 guidelines % of Managers Trained									
11 Percentage of chapter 7 private trustees notified									
12 Percentage of bankruptcies responded to within 2 weeks									
13 Review final report in ch. 7 case and cases within 30 days of receipt									
14 % of Chapter 7 trustees appointed within 5 days of bankruptcy petition being filed									

Administration of Cases, continued						
	15 % of 341 meetings held within 20-40 days of chapter 11 petition being filed	Data measurement system not yet in place			10/1/96	11/30/96 4/30/97 10/1/96 10/1/97
	Automation Initiative Initiatives	N/A	N/A	N/A		
INTERMEDIATE OUTCOME	16 *Identify business compensation with JCTN	N/A	N/A	N/A	N/A	N/A
	17 *Develop and implement pilot automation project in 1 region	N/A	N/A	N/A	N/A	N/A
	18 *Develop and implement pilot automation project in 1 region	N/A	N/A	N/A	N/A	N/A
	19 *Begin coding and hardware acquisition	N/A	N/A	N/A	N/A	N/A
	20 *Begin testing program personnel	N/A	N/A	N/A	N/A	N/A
	21 *Select pilot regions for the automating initiative	N/A	N/A	N/A	N/A	N/A
	22 *Select pilot regions for the application review initiative	N/A	N/A	N/A	N/A	N/A
	23 # motions to dismiss or convert chapter 11 cases that are not viable	Data measurement system not yet in place				
	24 # of criminal referrals	460	57%	400	554	611
	25 Reduce the total number of old chapter 7 cases by 5%	15,672	12,705		12,473	11,217
END OUTCOME	26 Reduce the number of old chapter 11 cases as a percentage of total criminal	8.2%	7.5%		7.5%	7.9%
	27 Reduction in the number of each deficiency found					
	Total Deficiency per month	9.4	7.4		6.3	5.5
	Consequential findings per month	2.1	1.7		1.5	1.3
	28 *Develop automation system fully compatible with DOJ Open Systems Architecture. # of regions implemented by 9/30/97					33,046
	29 *Begin holding 341 meetings through video-conferencing in pilot regions.					12/1/96 11/1/96
	30 *Award contract for the application review in pilot regions.					
	31 Reduce the cost of administering chap. 7 bankruptcy cases as a % of total disbursements	31.8%	33.8%		31.5%	31.1%
	32 Increase % distribution to priority and unsecured chapter 7 creditors	32.1%	36.5%		31.1%	32.4%
	33 Increase % of Ch. 11 Cases which successfully achieve confirmed compensation plan.	Data measurement system not yet in place				
	34 Increase number of criminal referrals resulting in:	Data measurement system not yet in place				
	a. Indictment b. Conviction					
	35 Program's ability to measure performance will be enhanced when automation initiative is implemented					
	Pilot Implementation					9/30/97

Administration of Cases, continued						
Productivity/ Efficiency	50	51	52	53	54	55
	56	57	58	59	60	61
	62	63	64	65	66	67
	68	69	70	71	72	73
	74	75	76	77	78	79
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	860	861	862	863	864	865
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	890	891	892	893	894	895
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	908	909	910	911	912	913
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	938	939	940	941	942	943
	944	945	946	947	948	949
	950	951	952	953	954	955
	956	957	958	959	960	961
	962	963	964	965	966	967
	968	969	970	971	972	973
	974	975	976	977	978	979
	980	981	982	983	984	985
	986	987	988	989	990	991
	992	993	994	995	996	997
	998	999	1000	1001	1002	1003

1/ Additional Evidence -- See Indicator 1
 In 1991 in Region 9 (Ohio) the Federal Department of Justice, as a result of the U.S. Trustee, the Bank Creditors and the decision of the Bankruptcy Court
 and the U.S. District Court and upheld the United States Trustee's objection to the \$2.50 decrease per month in fees charged by Lehman Brothers. As a result, approximately \$2 million
 in professional fees will be refunded by Lehman Brothers.

United States Justice System Fund
Salaries and expenses
Financial Analysis — Program Changes
(Dollars in thousands)

Item	Direct Authority				Restructuring Initiatives				Offsetting Collections				Total			
	Admin. of Cases		Mgmt. & Admin.		Admin. of Cases		Mgmt. & Admin.		Admin. of Cases		Mgmt. & Admin.		Admin. of Cases		Mgmt. & Admin.	
	Pos.	Amount	Pos.	Amount	Pos.	Amount	Pos.	Amount	Pos.	Amount	Pos.	Amount	Pos.	Amount	Pos.	Amount
Grades																
GS-04 - 14	(4)	(834)			(4)	(834)			(7)	(819)			(7)	(819)		
GS-04 - 13	(11)	(912)			(11)	(912)			(4)	(822)			(4)	(822)		
GS-12			(2)	(80)											(2)	(80)
GS-11					(10)	(436)			(10)	(436)			(10)	(436)		
GS-07	(17)	(446)			(17)	(446)			(9)	(166)			(9)	(166)		
Ungraded Positions	(5)	(446)			(5)	(446)										
Total Positions and Annual Rate	(37)	(1,776)	(2)	(80)	(29)	(1,800)			(29)	(1,800)			(29)	(1,800)		
Lapses (-)	19	600	1	43	20	600	13	679					13	679	1	43
Other Personnel Compensation																
Total Workyears and Personnel Compensation																
Personnel Benefits	(16)	(652)	(1)	(45)	(16)	(652)			(16)	(652)			(16)	(652)		
Benefits to Former Personnel																
Travel and Transportation																
GSA rent																
Other Rent Communications, & Utilities																
Printing and Reproduction																
Other Service																
Supplies and Materials																
Equipment																
Total program workyears & obligations	(19)	(708)	(1)	(45)	(19)	(774)			(19)	(774)			(19)	(774)	(1)	(45)
Changes requested, 1987																

United States Trustee Program
Salaries and Expenses
Priority Ranking
Fiscal Year 1997

BASE PROGRAM		PROGRAM INCREASE	
Program	Ranking	Program	Ranking
Administration of Cases	1	Restructuring Initiative	1
Management and Administration	2	Field Office Automation	
		Video Teleconferencing	
		Fee Application Review	
		Chapter 11 Quarterly Fee Restructuring	2
		Chapter 13 Disbursement Assessment	3
		Management & Administration	
		Restructuring Initiative	1

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United States Trustee Program
 Financial and Operating
 Detail of Payments Received by Category
 Fiscal Years 1995 - 1997

	1995	1996	1997	Total
Category	Authorized	Anticipated	Program Decreases	Amounted
DIRECT AUTHORITY				
U.S. Trustee/Asst. U.S. Trustee (201)	119	119	(5)	114
Bankruptcy Analysts (301)	112	85	(2)	83
Attorneys (905)	142	177	(4)	123
Paralegal Specialists (950)	110	105	(3)	102
Other Legal and Kindred (300-999)	110	122	(1)	121
Private Legal Management (200-299)	10	10	(1)	9
Management System Specialists (301)	36	36	(11)	25
General Administrative, Clerical & Office Services (300-399)	112	99	(2)	97
Security Specialists (060)	13	13		13
Acctg. Budget, Financ. Mgmt. (500-599)	3	3		3
Contracting, Procurement (1102-1109)	753	725	(39)	685
Subtotal				
OFFSETTING COLLECTIONS				
U.S. Trustee/Asst. U.S. Trustee (201)	85	112	(9)	103
Bankruptcy Analysts (301)	70	83	(2)	81
Attorneys (905)	95	95	(3)	92
Paralegal Specialists (950)	59	59	(1)	58
Other Legal and Kindred (300-999)	1	1		1
Private Legal Management (200-299)	1	1		1
Management System Specialists (301)	31	31	(11)	20
General Administrative, Clerical & Office Services (300-399)	1	1		1
Security Specialists (060)	1	1		1
Acctg. Budget, Financ. Mgmt. (500-599)	2	2		2
Contracting, Procurement (1102-1109)	345	385	(39)	325
Subtotal				
TOTAL				
U.S. Trustee/Asst. U.S. Trustee (201)	119	119	(5)	114
Bankruptcy Analysts (301)	197	197	(11)	186
Attorneys (905)	212	210	(6)	204
Paralegal Specialists (950)	205	200	(6)	194
Other Legal and Kindred (300-999)	201	187	(15)	174
Private Legal Management (200-299)	11	11	(1)	10
Management System Specialists (301)	37	37	(11)	26
General Administrative, Clerical & Office Services (300-399)	143	130	(15)	117
Security Specialists (060)	13	13		13
Acctg. Budget, Financ. Mgmt. (500-599)	1	1		1
Contracting, Procurement (1102-1109)	1,148	1,116	(65)	1,043
Subtotal				
Washington	82	82	(2)	80
U.S. Trustee/Asst. U.S. Trustee (201)	1,092	1,098	(42)	998
Foreign Field	1,122	1,110	(12)	1,097
Total				

United States Trustee Program
Salaries and Expenses
Summary of Attorneys and Support Positions
FY 1996 - 1997

DIRECT AUTHORITY

	1996 Anticipated				1997 Decreases				1997 Request Level			
	Attorneys		Support		Attorneys		Support		Attorneys		Support	
	Pos.	FTE	Pos.	FTE	Pos.	FTE	Pos.	FTE	Pos.	FTE	Pos.	FTE
Decision Unit												
Administration of Cases	121	121	554	554	(4)	(2)	(63)	(16)	117	119	521	536
Management and Administration	6	6	44	44	...	...	(2)	(1)	6	6	42	43
Subtotal	127	127	598	598	(4)	(2)	(65)	(17)	123	125	563	581

OFFSETTING COLLECTIONS

	1996 Appropriation Anticipated				1997 Decreases				1997 Request Level			
	Attorneys		Support		Attorneys		Support		Attorneys		Support	
	Pos.	FTE	Pos.	FTE	Pos.	FTE	Pos.	FTE	Pos.	FTE	Pos.	FTE
Decision Unit												
Administration of Cases	83	77	300	276	(2)	(1)	(24)	(12)	81	76	276	265
Management and Administration	...	...	2	2	...	...	...	...	...	...	2	2
Subtotal	83	77	302	280	...	...	(24)	(12)	81	76	278	268

TOTAL

	1996 Appropriation Anticipated				1997 Decreases				1997 Request Level			
	Attorneys		Support		Attorneys		Support		Attorneys		Support	
	Pos.	FTE	Pos.	FTE	Pos.	FTE	Pos.	FTE	Pos.	FTE	Pos.	FTE
Decision Unit												
Administration of Cases	204	198	854	832	(6)	(3)	(87)	(26)	198	195	787	804
Management and Administration	6	6	46	46	...	...	(2)	(1)	6	6	44	45
Total	210	204	900	878	(6)	(3)	(89)	(27)	204	201	841	849

United States Trustee Program
Salaries and Expenses
Summary of Change
(\$ in thousands)

	DIRECT AUTHORITY			OFFSETTING COLLECTIONS			TOTAL		
	Perm.	Pos.	Wor/years	Amount	Perm.	Pos.	Wor/years	Amount	
1996 President's request.....	799	761		\$65,054	400	357		\$44,191	
1996 Appropriation Anticipated.....	725	725		58,199	395	357		44,191	
Adjustments to base:									
Mail Management Transfer.....	...	...	...	...	...	...	...	...
Increases (automatic, non-policy):									
Annualization and increase of 1996 pay raise.....	...	...	...	540	...	...	...	540
Annualization of 1996 locality pay adjustment.....	...	...	...	212	...	...	...	212
1997 pay raise and locality pay adjustment.....	...	...	...	1,599	...	...	...	1,599
Within-grade increases.....	...	...	...	797	...	...	...	797
Administrative Salary Increase.....	...	...	...	105	...	...	...	105
Travel mileage allowance rate.....	...	...	...	49	...	...	...	49
GSA Rent.....	...	...	...	865	...	...	...	865
General Pricing Level Adjustment.....	...	...	...	210	...	...	...	210
Total, increases.....	...	...	...	4,347	...	...	...	4,347
1997 Base.....	725	725		82,538	395	357		44,191	
Program Changes.....	(59)	(19)		(774)	(23)	(13)		(5,878)	
1997 Estimate.....	666	706		81,764	369	344		49,869	

United States Trustee System Fund
Justification of Adjustments to Base
Dollars in thousands

Adjustments to Base:	Yrs	Amount (8)
Transfers:		
Transfer of resources for mail management services.	
This redistribution is necessary in order to align base funding according to the allocation that is being used to distribute the 1996 Mail Management Service overhead costs. The funds to be redistributed will be based on the 1995 survey of mail volume, since this represents the most current information available.		
Increases:		
1997 pay rates.	\$1,569
This request provides for the proposed 3.0 percent pay raise and locality pay adjustment to be effective in January of 1997 and is consistent with Administration policy included in the 1997 President's budget request. The amount requested, \$1,569,000, represents the pay amounts for three-quarters of the fiscal year plus appropriate benefits (\$1,246,000 pay and \$323,000 benefits = \$1,569,000).		
Annualization of 1996 locality pay adjustment.	212
This adjustment represents the locality pay increase anticipated to be effective in January 1996. The 1996 increases are calculated at the rates approved in 1995, for the full fiscal year.		
Annualization and increase of 1996 pay rates.	540
This pay annualization represents first quarter amounts (October through December) of the 1996 pay increase of 2.4 percent, plus appropriate personnel benefits and the additional amount required above the 2.2 percent originally requested for the three-quarters of the year (\$429,000 for pay and \$111,000 for benefits).		
Within-grade increases.	797
This request provides for the expected increase in costs of within-grade increases. This increase is based on an accurate, dynamic model of the Department's employee population which includes numerous factors such as anticipated pay raises, adjustments to include three-year attrition/separation rates and career ladders, and the expected promotion policy for each organization. The request includes \$837,000 for pay and \$164,000 for benefits.		
Administrative salary increase.	105
This request provides for an expected annual pay adjustment of administratively determined salaries for the Assistant U.S. Trustees and for those U.S. Attorneys occupying ungraded positions in the U.S. Attorneys offices and the Organized Crime Drug Enforcement Task Force (\$83,000 for pay and \$22,000 for benefits = \$105,000).		
Travel Mileage Allowance Rate.	49
The mileage allowance rate has increased from 25 to 30 cents per mile. An increase of \$49,000 is requested in 1997 to cover this rate adjustment.		

<u>WYS</u>	<u>Amount</u>
...	865
General Services Administration (GSA) rent.....	
GSA will continue to charge rates that provide the same level of service for equivalent space and related services. The requested increase of \$85,000 is required to meet the cost of the latest inventory data and GSA-provided 1996 rates.	
...	210
General pricing level adjustments.....	
This request applies GSA pricing guidance as of June 11, 1995, to selected expense categories. The increased costs identified result from applying a factor of 3.1 percent against those subobject classes where the prices that the Government pays are established through the market system instead of by law or regulation. Generally, the factor is applied to supplies, materials, equipment, contracts with the private sector, printing costs, transportation costs and utilities.	
Total increases.....	4,147
Total Adjustments to Base.....	4,339

United States Trustee Program
Salaries and Expenses
Summary of Requirements by Grade and Object Class
(Dollars in thousands)

Grades and Salary Ranges	1993 Actual		1996 Estimate		1997 Request		Increase/Decrease	
	Pos. & Wys.	Amount	Pos. & Wys.	Amount	Pos. & Wys.	Amount	Pos. & Wys.	Amount
ES-6-\$115,700.....	1	1	1	1	1	1	...	...
ES-5-\$111,800.....	1	1	1	1	1	1	...	...
ES-4-\$107,300.....	1	1	1	1	1	1	...	...
ES-3-\$101,800.....	21	21	21	21	21	21	...	...
ES-2-\$97,400.....	1	1	1	1	1	1	...	...
GS-15-\$97,941-\$88,528.....	109	109	107	107	107	107	...	...
GS-14-\$97,760-\$75,085.....	181	181	181	181	170	170	(11)	(11)
GS-13-\$94,078-\$53,539.....	146	146	146	146	121	121	(25)	(25)
GS-12-\$91,104-\$33,834.....	52	52	52	52	50	50	(2)	(2)
GS-11-\$85,425-\$28,282.....	116	116	111	111	109	109	(2)	(2)
GS-10-\$81,375-\$20,184.....	2	2	2	2	2	2	...	...
GS-9-\$83,345-\$48,890.....	111	111	103	103	103	103	...	...
GS-8-\$83,642-\$33,357.....	18	18	16	16	16	16	...	...
GS-7-\$83,371-\$20,119.....	202	202	190	190	168	168	(22)	(22)
GS-6-\$80,832-\$21,197.....	47	47	45	45	45	45	...	...
GS-5-\$18,707-\$24,323.....	41	41	38	38	38	38	...	...
GS-4-\$16,721-\$11,734.....	4	4	4	4	4	4	...	...
GS-3-\$14,895-\$19,368.....	2	2	2	2	2	2	...	...
Ungraded positions.....	98	98	98	98	93	93	(5)	(5)
Locality Pay.....	...	\$2,381	...	\$2,410	...	\$2,410	...	...
1997 Pay Raise.....	...	...	...	...	...	1,661	...	\$1,661
Total, appropriated positions.....	1,144	58,343	1,110	58,316	1,085	57,893	(65)	(643)
Pay above stated annual rates.....	...	...	...	225	...	225	...	(3)
Lapses.....	(90)	(4,338)	(42)	(2,093)	(9)	(467)	33	1,884
Savings due to lower pay scales for part of year.....	...	(236)	...	(263)	...	(263)	...	(123)
N-1 full-time permanent.....	1,054	53,737	1,068	54,356	1,056	52,113	(84)	877
Other full-time permanent:								
Performance Pay.....	10	502	10	516	10	526	...	...
Temporary Employment.....	7	428 *	4	244	4	244	...	...
Other personnel compensation.....	...	...	...	...	...	...	...	...
Overline.....	5	176	5	200	5	200	...	...
Law Enforcement Availability Pay.....	...	166	...	243	...	...	...	...
Other compensation.....	...	...	...	...	...	...	...	...
Special personal services payments.....	...	...	...	...	...	...	...	...
Total, Workyears & personnel compensation.....	1,076	55,028	1,067	57,369	1,055	56,426	(83)	837
Average ES Salary.....		\$109,805		\$111,762		\$113,083		
Average GS Salary.....		\$48,335		\$49,237		\$51,915		
Average GS Grade.....		10.78		10.78		10.79		

*Note: Pay for the Program was paid in 11.3 object class until classroom personnel is complete.

United States Transit System Fund
Salaries and Expenses
Summary by Function, Month, Quarter, and Fiscal Year

Object Class	1977 Actual		1976 Estimate		1977 Estimate		Increase/Decrease	
	WYS.	Amount	WYS.	Amount	WYS.	Amount	WYS.	Amount
11 Total salaries and prime and compensation	1,074	55,157	1,064	54,134	1,074	55,157	(10)	(1,023)
11.1 Other than full-time permanent	17	940	14	770	14	770	3	170
11.2 Other permanent compensation	5	247	5	443	5	443	0	0
11.3 Other nonpermanent compensation	0	0	0	0	0	0	0	0
Total	1,074	55,157	1,064	54,134	1,074	55,157	(10)	(1,023)
Reimbursable employees	...	...	...	...	...	...	...	...
Full-time permanent	...	...	...	...	...	...	...	...
Other Object Class:	...	...	...	...	...	...	...	...
12.0 Personnel benefits	15,782	16,340	15,782	16,340	15,782	16,340	0	0
12.1 Health and life insurance	427	115	427	115	427	115	0	0
12.2 Travel and transportation of personnel	2,470	2,315	2,470	2,315	2,470	2,315	0	0
12.3 Transportation of things	292	207	292	207	292	207	0	0
12.4 Other travel	13,783	14,444	13,783	14,444	13,783	14,444	0	0
12.5 Other personnel benefits	1,798	2,240	1,798	2,240	1,798	2,240	0	0
12.6 Other personnel benefits	3,172	3,172	3,172	3,172	3,172	3,172	0	0
12.7 Other personnel benefits	153	210	153	210	153	210	0	0
12.8 Postage and supplies	2,312	2,193	2,312	2,193	2,312	2,193	0	0
12.9 Other services	341	325	341	325	341	325	0	0
12.10 Purchase of goods & services for Gov't accounts	5,016	4,924	5,016	4,924	5,016	4,924	0	0
12.11 Medical care	43	45	43	45	43	45	0	0
12.12 Operation and maintenance of equipment	1,862	1,812	1,862	1,812	1,862	1,812	0	0
12.13 Supplies and materials	1,573	1,815	1,573	1,815	1,573	1,815	0	0
12.14 Equipment	1,895	2,164	1,895	2,164	1,895	2,164	0	0
12.15 Insurance claims and indemnities	187	110	187	110	187	110	0	0
Total	1,074	102,635	1,067	102,573	1,074	111,833	(7)	8,260
Unobligated balance, start of year	(666)	(3,463)	(666)	(3,463)	(666)	(3,463)	0	0
Reimbursable obligations	(31)	(109)	(31)	(109)	(31)	(109)	0	0
Unobligated balance, end of year	3,113	...	3,113	...	3,113	...	0	0
Total obligations	1,074	102,579	1,067	102,579	1,074	111,833	(7)	8,260
Less available offsetting collections	(231)	(23,683)	(231)	(23,683)	(231)	(23,683)	0	0
Total direct expenditures	755	79,896	736	78,896	755	88,150	19	9,254
Reconciliation of Obligations to Outlay	...	...	...	...	...	...	...	...
Total obligations	755	79,896	736	78,896	755	88,150	19	9,254
Outlay balance, start of year	14,377	14,377	14,377	14,377	14,377	14,377	0	0
Outlay balance, end of year	(17,255)	(17,255)	(17,255)	(17,255)	(17,255)	(17,255)	0	0
Outlay	755	79,896	736	78,896	755	88,150	19	9,254

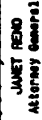
*Amounts listed by the Program are paid in 11.3 subject class with decrease program r.

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Department of Justice
Assets Forfeiture Fund
Estimates for Fiscal Year 1997
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Department of Justice
Assets Forfeiture Fund
Summary Statement
Fiscal Year 1997

The Department of Justice is requesting \$433,000,000 for expenses of the Assets Forfeiture Fund (the Fund) for 1997. Based on current projections, receipts to the Fund in 1997 will be \$410,000,000, excluding interest earned on BCCI balances which is not available for general operations of the Fund. Included in the 1997 budget plan is an estimate of \$403,000,000 for mandatory Program Operations Expenses of the Fund, the same level projected for 1996. Also included in this estimate is \$30,000,000 for Investigative Expenses of the Fund, \$25 million less than enacted for 1995 and the same level anticipated for 1996. The reduction in Investigative Expenses funding requested reflects declining forfeiture receipts which has resulted in higher debt service obligations. The Department is requesting \$433,000,000 for expenses of the Assets Forfeiture Fund, including the mandatory Program Operations Expenses in 1997 that can support investigative bureau participating in the Department's asset forfeiture program, and be funded by currently estimated receipt levels. The Department is acting aggressively to stem the decline in forfeiture activity by all Department components. Forfeiture remains a valuable law enforcement tool in the fight against crime.

The primary purpose of the Fund is to provide a stable source of resources to cover the costs of an effective asset seizure and forfeiture program including the costs of seizing, evaluating, inventorying, maintaining, protecting, advertising, forfeiting, and disposing of property. Prior to creation of the Fund in 1985, costs of these activities had to be diverted from agency operational funds. The more effective an agency was in seizing property, the greater the drain on its appropriated funds. Creation of the Fund is responsible, in large measure, for the healthy growth in the Department's forfeiture program from 1985 forward. The secondary purpose of the Fund is to provide surplus revenues to assist in financing important law enforcement programs. If the Fund ceases to function effectively in its primary role, surpluses will not be available for these law enforcement programs.

Since the creation of the Fund, the asset seizure and forfeiture program grew rapidly. The inventory of property in custody increased from 3,664 properties valued at \$313 million at the end of 1985 to over 32,000 properties valued at about \$1.9 billion at the end of 1992 (\$1.5 billion excluding BCCI cash). Since that time, the level of seizures has been declining. The U.S. Marshals Service has continued to process and dispose of assets seized in prior years. This has kept Fund receipts close to projected levels. However, as of the end of December 1995, there were just under 25,000 assets in custody valued at \$1.36 billion (excluding BCCI cash) and the inventory of properties in custody was valued at \$1.1 billion. The significant effect of this decline is that criminal organizations have hundreds of millions of dollars more in their coffers to support their illicit operations each year.

Receipts are available to pay the Program Operations Expenses, i.e., mandatory expenses, of the forfeiture program, and to recognize the equity of innocent third parties, lienholders, and state and local law enforcement agencies. For 1997, the Department is estimating \$403,000,000 for these purposes. Included in this estimate are \$333 million for mandatory Program Operations Expenses and \$70 million for the recognition of equity of innocent third parties. Enforcement officers engaged in joint operations with Federal law enforcement agencies participated in the Fund. The Department's authority to incur Program Operations Expenses, including recognition of the equity interests of others, is limited only by the level of receipts deposited into the Fund. To the extent that receipts exceed the amounts necessary for these expenses, the Fund may be used for authorized Investigative Expenses. For 1997, the Department is requesting \$30,000,000 for these expenses, including awards for information or assistance in law enforcement cases, costs of equipping law enforcement agencies for information or assistance in law enforcement cases, the costs of providing information or assistance in law enforcement cases, the costs of equipment and disposal costs will be able to be funded. There will be no funds for Investigative Expenses, or state and local overtime expenses.

The Fund has served as a catalyst to involve more Federal, state and local investigative agencies in the forfeiture program. In 1991, the U.S. Park Police and the Bureau of Alcohol, Tobacco and Firearms joined the Department of Justice' asset forfeiture program, and in 1992, the U.S. Secret Service joined the program. As one result of the effectiveness of asset seizure and forfeiture as a law enforcement tool and the Assets Forfeiture Fund as a resource to support this important law enforcement activity, the Department is requesting that the Treasury Department be authorized to transfer to the Department a separate Treasury Forfeiture Fund that became operational in 1994, replacing the Customs forfeiture fund. In 1994, the Office of Criminal

On the other hand, Congress has recognized, in a positive manner, the potentials/benefits of the Fund by expanding the authority of the Fund to meet other important law enforcement needs of both Justice and non-Justice participants in the Fund. A number of such legislative proposals have been enacted in recent years, including: (1) expansion of the Fund's authority to pay awards for information or assistance leading to a forfeiture to include any case involving a Federal agency participating in the Fund; (2) expansion of the Fund's authority to pay for the equipping of conveyances to reach any State, Federal, local law enforcement agency, or private citizen; (3) expansion of the Fund's authority to pay for the purchase of vehicles, aircraft, or aircraft to assist in joint Federal and state law enforcement functions if the Federal agency is a participant in the Fund; (3b) provision for the Attorney General to use any success monies in the Fund at the end of the fiscal year for law enforcement, prosecution, and correctional activities of both Justice and non-Justice agencies; and (5) authority to pay overtime salaries, travel, food, training, equipment and other similar costs of state, or local law enforcement agencies and their personnel who are participating in the Fund. The above mentioned legislation allows the Federal law enforcement community to participate in the Fund without being subjected to the usual Federal budgetary process. This legislation also provides that the Department of Justice may, at its discretion, make available additional funding beyond what is made available at the discretion of the Attorney General for law enforcement, prosecution and correctional activities.

In summary, the asset forfeiture program not only represents an effective law enforcement tool against criminal organizations but also provides financial support to other Federal law enforcement efforts. Without this resource, agency funds would be seriously taxed to maintain, preserve, and liquidate seized assets; and law enforcement projects supported by the Fund could not be undertaken or would have to wait the possibility of funding through other avenues.

¹ This authority is not currently available for surplus balances unless renewed by Congress, but has been used to make available more than \$165,000,000 to meet law enforcement, protection, and correctional activities of the Federal Government since inception of the authority in 1991.

Assets Forfeiture Fund
Justification of Proposed Changes in Appropriation Language

The 1997 budget estimates include proposed changes in the appropriation language listed and explained below. Deleted matter is enclosed in brackets.

Assets Forfeiture Fund

For purposes authorized by 28 U.S.C. 524(c)(1)(A)(i), (B), (C), (D), and (E), \$30,000,000, to be derived from the Department of Justice Assets Forfeiture Fund.

Elimination of Changes

A regular 1996 appropriation for this account had not been enacted at the time this budget was prepared. The 1996 amounts included in this budget are based on the levels provided in three continuing resolutions: P.L. 104-91, P.L. 104-92, and P.L. 104-99.

Assets Forfeiture Fund
Summary of 1996 Changes
 (Dollars in thousands)

Activity/Program: Assets Forfeiture Fund	1996 President's Budget Request Pos. M. Amount	Congressional Appropriation Action on the 1996 Request Pos. M. Amount	Changes in the 1996 Estimate Pos. M. Amount	1996 Appropriation Anticipated Pos. M. Amount
Permanent, Indefinite Authority	...	...	...	...
1. Program Operations.....	847,000	...	...	847,000
2. 1995 Super Surplus Authority.....	...	...	...	...
subtotal, permanent, indefinite	447,000	...	...	447,000
Appropriated, Definite Authority	...	...	...	...
3. Investigative Expenses.....	55,000	...	...	55,000
Total Budget Authority.....	502,000	...	...	502,000

Changes in the Estimate

Explanation of Change in Permanent, Indefinite Authority

The estimate for Asset Management and Disposal expenses is reduced by \$13,000,000 reflecting a shrinking asset inventory; the estimate for Third Party interests expenses is reduced by \$20,000,000 reflecting a stabilization in accelerated third party payments and the shrinking inventory; the estimate for case related expenses is reduced by \$1,500,000 to reflect reduced activity; the estimate for equipment expenses is increased by \$3,000,000 to ensure continued successful implementation of the Consolidated Asset Tracking System (CATS) nationwide; the estimate for Contract Services is increased by \$2,000,000 to reflect cost adjustments; the estimate for Contracts to Identify Assets expenses is increased by \$1,000,000 to reflect current projections and the need to meet ever-sophisticated techniques used by the criminal element to conceal ill-gotten assets; the cost of training and printing is reduced by \$500,000 to reflect fewer resources available to the program for training; the estimate for Other Program Management expenses is reduced by \$3,000,000 to reflect the current estimate of non-personal costs of the U.S. Marshall Service seized asset management program; and the estimate for joint law enforcement operation with state and local law enforcement agencies is increased by \$2,000,000 to reflect current projected needs in that expense category. A balance of \$11,361,000 in Super Surplus funding, both allocated and unallocated, at the end of 1995 was not obligated. Those resources are expected to be renewed and/or newly allocated pursuant to 28 U.S.C. 524(c)(1)(E) and obligated in 1996.

Explanation of Change in Appropriated, Definite Authority

Receipts to the fund cannot currently support spending at the higher level of \$55,000,000. Congress has reduced the budget authority for investigative expense categories to meet other priority needs of the Department.

Assets Forfeiture Fund
Summary of Requirements, Expenses and Financing
(Dollars in thousands)

	Annual, Definitive	Permanent, Indefinite	Total
Appropriation adjustments:			
1996 Conference allotments.....	836,000	947,000	947,000
1996 Charges in the Estimates.....		-38,612	-38,612
1996 Appropriation Anticipated.....	30,000	414,381	444,381
1997 Conference allotments.....		11,381	11,381
1997 Charges.....		-11,381	
1997 Estimates.....	30,000	433,000	433,000
Obligations by Type of Expense	1996 Appropriation Anticipated Amount	1997 Estimate Amount	Increase/Decrease Amount
Program operations expenses: (indefinite authority)	9403,000	9403,000	...
Program operations expenses.....	9403,000	9403,000	...
Investigative expenses: (definite authority)	30,000	30,000	...
Investigative expenses.....	30,000	30,000	...
Super Surplus authority (available until expended).....	11,381	...	-11,381
Total gross obligations.....	444,381	433,000	-11,381
Financing			
Unappropriated balance of receipts, start of year.....	160,002	120,621	-39,381
Collections/deposits/receipts.....	405,000	430,000	25,000
Total resources available.....	565,002	550,621	-14,381
Less:			
Unappropriated balance of receipts, end of year, including:			
ACT balances subject to Court Order.....	-82,039	-102,039	-20,000
Unappropriated balances available for start-up expenses.....	-30,582	-15,582	15,000
Total, Unappropriated balances, end-of-year.....	-112,621	-117,621	-5,000
Total, Gross obligations.....	444,381	413,000	-31,381

Assets/Liabilities Fund
Summary of Obligations by Expense Category
(Dollars in thousands)

Obligations by Type of Expense	1995 as		1996		1997		1997 Estimate	Increase/Decrease
	Enacted	Actual	Anticipated	Amount	Amount	Amount		
Program operations expenses: (indefinite authority)								
Asset management and disposal.....	945,500	933,990	932,000	932,000	934,000	934,000	-82,000	
Other asset specific expenses.....	70,000	49,296	49,000	49,000	49,000	49,000	-4,000	
Equitable sharing payments.....	217,000	223,643	205,000	205,000	205,000	205,000	2,000	
Special contract services.....	42,000	41,427	43,000	43,000	43,000	43,000	...	
Automated data processing.....	19,000	24,074	19,000	19,000	19,000	19,000	...	
Training and printing.....	17,000	2,800	2,000	2,000	2,000	2,000	...	
Other program management.....	12,000	6,800	5,000	5,000	5,000	5,000	...	
Contract management.....	1,500	2,772	1,000	1,000	1,000	1,000	...	
Stocks, production and distribution of substances.....	1,000	72	1,000	1,000	1,000	1,000	...	
Joint Federal/State and local law enforcement operations.....	16,000	28,653	33,000	33,000	33,000	33,000	...	
Subtotal: Program operations expenses.....	1,487,000	1,195,795	1,400,000	1,400,000	1,400,000	1,400,000	...	
Investigative expenses: (definite authority)								
Awards for information.....	22,000	20,130	19,000	19,000	19,000	19,000	...	
Purchase of evidence.....	12,000	8,925	9,000	9,000	9,000	9,000	...	
Equipping of conveniences.....	19,000	4,418	2,000	2,000	2,000	2,000	...	
Investigative expenses leading to seizure.....	2,000	...	...	...	...	...	...
Subtotal: Investigative expenses.....	55,000	33,473	30,000	30,000	30,000	30,000	...	
Capital surplus transfers, 1991	...	...	...	...	...	...	...
Amount obligated.....	...	...	...	...	...	...	...
Super surplus allocations, 1992	...	(435)	435	...	...	...	...
Amount obligated.....	...	...	...	...	...	...	...
Super surplus allocations, 1993	...	(1,035)	10,746	...	...	...	...
Amount obligated.....	...	...	...	...	...	...	...
Total gross obligations.....	1,487,000	1,229,268	1,440,381	1,430,000	1,430,000	1,430,000	...	

**Appendix F - 1994 Fund
Summary of Receipts and Disbursements**
(Dollars in thousands)

Expenditure	1993 Actual Amount	1994 Estimated Amount	1997 Estimated Amount	Increase/ Decrease Amount
Unappropriated balance of receipts, start-of-year				
Start-up expenses.....	941,271	949,007	938,562	-81,325
Unappropriated balance not available for program expenses				
BCI interest earned.....	29,319	33,798	33,798	20,000
BCI forfeiture proceeds, subject to Court Order.....	28,261	28,261	28,261	-20,000
Total: BCI balance not available for program expenses	57,580	62,059	62,059	-16,190
U.S.-V. Williams JAGSIS unobligated balance.....	11,647	16,190	...	...
Surplus balances carried forward.....	...	469	...	469
Unobligated 1992 Super Surplus, allocated.....	...	9,451	...	-9,451
Unobligated 1993 Super Surplus, allocated.....	2,906	166	...	166
Unobligated 1992 Super Surplus, unallocated.....	6,897	2,295	...	-2,295
Unobligated 1993 Super Surplus, unallocated.....	...	...	...	...
Interest Payable to the U.S. Department of the Treasury AFF	129,188	160,000	129,188	-39,381
Unappropriated balance of receipts, start-of-year.....	435,414	360,000	410,000	30,000
Collection of interest on deposits.....	27,652	5,000	...	-5,000
U.S.-V. Williams JAGSIS pass-through receipts.....	...	...	...	...
Collection/deposit/interests not available for program expenses	...	...	...	...
BCI interest earned.....	29,319	33,798	33,798	20,000
BCI forfeiture proceeds, subject to Court Order.....	28,261	28,261	28,261	-20,000
Total: BCI balance not available for program expenses	57,580	62,059	62,059	-16,190
Unappropriated balance of receipts, end-of-year.....	435,414	360,000	410,000	30,000
Less:				
Unappropriated balance of receipts, end-of-year.....	-11,848	-39,882	-15,562	23,000
Unappropriated balance not available for program expenses	...	...	...	...
Unobligated 1992 Super Surplus, allocated.....	-469	...	...	...
Unobligated 1993 Super Surplus, allocated.....	-9,451	...	...	...
Unobligated 1992 Super Surplus, unallocated.....	-166	...	...	...
Unobligated 1993 Super Surplus, unallocated.....	-2,295	...	...	...
Unobligated 1994 Super Surplus, unallocated.....	-16,190	...	...	...
BCI balance.....	...	...	...	...
BCI interest earned.....	...	...	...	...
BCI forfeiture proceeds, subject to Court Order.....	-33,798	-33,798	-73,798	-20,000
Total: BCI balance not available for program expenses	-33,798	-33,798	-73,798	-20,000
Interest Payable to the U.S. Department of the Treasury AFF.....	-42,039	-42,039	-102,039	-20,000
Unappropriated balance of receipts, end-of-year.....	-129,188	-129,188	-117,411	11,777
Total, Gross obligations.....	-129,188	-129,188	-117,411	11,777

Endnotes:

1. General Forfeiture Orders have been issued against BCI assets. Disposition of these assets by the Court is subject to ancillary claims. The claims process has been protected. As the claims process is completed, BCI deposits in the fund will be disbursed pursuant to Court orders. These actions will be reflected in the fund's disbursements to gross receipts, rather than by appropriation transfer or reclassification of a payment. In summary, the fund is merely being used as the "warehouse" for the BCI monies to ensure proper audit trail and accountability for transactions.

2. The start-up expenses for each fiscal year reflect the amounts available to meet ongoing expenses that cannot wait the availability of new receipts. The recurring equipment totals \$1.1 million, and \$1.1 million for ongoing asset management and disposal costs. The start-up expenses for the first year of the program, and by million for the first year of the program, are \$1.1 million for the first year of the program, and \$1.1 million for the first year of the program. Due to declining receipts, there is a significant shortfall in carryover receipts to meet these needs as a result of funding for all but start-up expenses will have to be delayed each year until it is determined whether current year income will be sufficient to afford spending in these areas.

**Assets Forfeiture Fund
Expenses and Financing
Program Performance and Results Act Requirements**

MISSION: To stop crime and punish criminals through the enforcement of civil and criminal forfeiture.

ORGANIZATIONAL GOALS:

To ensure that necessary to seize, manage, and dispose of property seized for forfeiture, including expenses of perfecting the forfeiture and recognizing legitimate interests of innocent third parties, and to provide central accountability for the management and use of forfeited cash and the proceeds of forfeited property. To the extent surplus funds are available, the Fund will provide a source of funds to assist in financing other law enforcement requirements as authorized by law.

PROGRAM OBJECTIVES:

To pay expenses for detention, inventory, safeguarding, maintenance of property seized for forfeiture, and the disposal of forfeited property.

To pay case-related expenses for perfecting the forfeiture of seized property.

To ensure that valid third-party interests are not jeopardized unnecessarily in the enforcement of forfeiture statutes.

To strengthen overall asset seizure and forfeiture efforts by funding certain program-related expenses allowable by statute.

To promote effective law enforcement by sharing amounts realized from forfeitures with State, local, and foreign law enforcement agencies that contributed directly to the forfeiture.

To pay awards for information and assistance leading to civil or criminal forfeitures involving any Federal agency participating in the Fund.

To equip conveyances for law enforcement purposes.

To assist in major investigations and prosecutions by making funds available to purchase evidence of violations of the Controlled Substances Act, the Controlled Substances Import and Export Act, RICO, or criminal money laundering laws.

ACTIVITY: ASSETS FORFEITURE FUND

	1997 Estimate
Permanent, Indefinite Authority	
1. Repealed Authority.....	8405,000
Appropriated, Perishable Authority	
2. Investigative Expenses.....	30,000
Total Budget Authority.....	735,000

BASIC PROGRAM DESCRIPTION:

Expenses of the Fund are financed by forfeiture receipts that can be heavily impacted by program policies. Therefore, background for the program and a discussion of receipts is provided briefly prior to discussion of estimated 1997 expenses.

Identifying, seizing, and forfeiting illegal assets plays an increasingly important role in the Federal Government's efforts to stop crime and punish

criminals. While even the highest individual criminals within a crime corporation are replaced quickly and easily, the removal of bank accounts, real property and other assets of the enterprise in disruptive operations severely, this, in turn, can create further opportunities to penetrate and compromise the criminal syndicate. However, the Federal Bureau of Investigation has been successful in recovering assets and assets of the enterprise and in recovering forfeited assets, such as stocks, securities, real property, automobiles, boats, airplanes, and other assets. The Comprehensive Forfeiture Act of 1984, part of the Comprehensive Crime Control Act of 1984, (P.L. 98-473, Title II, Chapter III), remedied this problem by creating the Assets Forfeiture Fund within the Department of Justice.

Once the Fund was in place, the Department began placing greater emphasis on the identification, location, seizure and forfeiture of assets as a standard procedure in the investigation of crime. The Department's efforts have been successful in recovering assets and assets of the enterprise and in recovering forfeited assets, such as stocks, securities, real property, automobiles, boats, airplanes, and other assets. Today, hundreds of joint investigations involving thousands of State and local law enforcement officials are occurring across the country. Also, there are a greater number of cases involving assets in foreign countries.

After seizure, the Federal investigative agencies have a critical role in getting the legal forfeiture process started by (1) providing personal notice to the owner of the property, (2) providing notice to the owner of the property, (3) if the forfeiture is uncontested, providing a "Declaration of Forfeiture", closing out the case file, and notifying interested parties of the outcome. If the asset under seizure is real property valued in excess of \$500,000, or if a claimant files a claim and posts a cost bond, then the case is referred to the appropriate U.S. Attorney's Office for judicial forfeiture proceedings. Following a forfeiture determination, whether judicial or administrative, there are often petitions from innocent owners that need to be investigated and answered. Finally, if the forfeited property is not transferred to a Federal, State or local law enforcement agency, it must be sold. Once the sale is completed, the net proceeds are then deposited in the Fund. In some instances, following seizure, certain parties from innocent owners are investigated and answered.

Depending on the type of property involved, the strength of the market, the need to address petitions, and other factors, this entire forfeiture and disposal process may take 12 to 24 months. During this process, the property must be properly maintained to protect its value and efficiently disposed of after forfeiture to ensure the seizure return to the Federal Government. The Fund is used to pay the expenses incurred during the investigation of the forfeiture action. Interest on the Fund is paid to the U.S. Department of Justice. The Fund is used to pay the expenses incurred during the investigation of the forfeiture action and administered by the Department of Justice. There are also statutory exclusions for certain fish and wildlife statutes, the proceeds from administrative forfeitures by the non-justice agencies, and the net proceeds from forfeitures under FISA. Once property is sold, the equitable interest, if any, earned by direct participation in the case, is distributed to the appropriate State and local law enforcement agencies. Often, in lieu of sale or property, the property is placed into official use by a participating State and local law enforcement agency or by a Federal agency.

¹Previously, petitions from innocent third parties were investigated and answered following a forfeiture determination, and after sale of the asset. New policy issued by the Department of Justice allows for payment of liens and mortgages prior to sale of the forfeited asset. Another more recent policy allows, in certain limited instances, for the settlement of third party claims prior to forfeiture of the seized asset. This policy was issued to further protect the interests of innocent owners.

**Assets Forfeiture Fund
Program Performance Information**
(in dollars)

The following performance measures have, traditionally, been identified in the Fund's annual financial statements, after the close of the fiscal year. With regard to the number of assets in inventory and their value, annual objectives are not established in advance of a fiscal year in order to avoid even the appearance of targeting or a "spigot trap" approach to forfeiture. Additional performance measures will be developed after the Consolidated Asset Tracking System (CATS) is fully implemented.

	1997 Actual	1996 Estimated	1997 Estimated
Assets in inventory, end-of-year.....	22,999	21,000	21,000
Value of Assets in Inventory, end-of-year..... (Excludes all BCI balances.)	\$1,037,917,200	\$1,150,000,000	\$1,150,000,000
Total Deposits to Assets Forfeiture Fund.....	\$407,543,517	\$409,000,000	\$430,000,000
Value of Property Placed into Official Use by Federal, State, and Local Agencies.....	\$12,000,000	\$10,000,000	\$10,000,000
Level of proceeds generated from the sale of forfeited property.....	\$143,043,000	\$130,000,000	\$115,000,000
Level of expenses incurred to generate these proceeds.....	\$63,288,000	\$61,000,000	\$79,000,000
Ratio of asset management and disposal costs to the disposed property value.....	54.2%	57.9%	63.2%
Ratio of Equitable Sharing Payments to Net Income.....	54.0%	50.4%	47.7%

RECIPTS

For 1997, the Department estimates that receipts to the Fund will be about \$430,000,000, an increase of \$25,000,000 compared to 1996, but a decrease of nearly \$40 million when compared to 1995. This amount includes estimates of: \$209,000,000 in forfeited cash, \$115,000,000 in proceeds from the sale of property, \$45,000,000 in interest income generated through the investment of seized and forfeited cash and unobligated amounts deposited to the Fund throughout the year, and \$1,097,000 in other miscellaneous income. The investment income includes \$20,000,000 earned from BCI cash on deposit. BCI interest earnings are subject to distribution by court order and are not available for operational costs of the Fund. Factors considered in arriving at the total 1997 net income estimate include:

- (1) The level of production of Assistant U.S. Attorneys (AUSA), investigative agents, and U.S. Marshall Service (USMS) personnel in handling seizures and forfeitures, and of contract personnel providing processing support to the program is declining. Although the Department has taken measures to re-vitalize the forfeiture program, it is expected to take some actions for the effect to be reflected in deposits to the Fund. Therefore, with the reduction in assets available for seizure, the Department's estimate of receipts from seizures is declining. This estimate includes the proceeds from seizures which are deposited to the forfeiture account of major cases. The decline in seizures and forfeitures will continue to reduce the total receipts to the Fund. In addition, the value of assets in inventory has declined sharply since the end of 1996, dropping from a balance of about \$1.18 billion to less than

- (2) \$450 million at the end of December 1995, a drop of 45 percent in the last 15 months. The decline in seized asset inventory reflects many factors. One is the Supreme Court's decision in the James Daniel Good matter, in which it was held that the United States could not seize assets of a foreign national without first providing the individual with an opportunity for an adversarial hearing. The number of real properties and bank accounts under seizure by the department declined from 3,000 to 1,700 over the same 15 month period, accounting for a decline of \$67.8 million in value. Due to the "post and wait" policy issued in response to the Good case, it was anticipated that the government would continue to pursue these properties. This has not occurred. While the number of real properties under seizure has declined drastically, it is estimated that less than 200 properties have been pursued under the "post and wait" policy. Thus, today, criminals are more apt to cash in their ill-gotten gains by converting their assets into cash, gold, jewelry, condominiums, and real estate. In the same period, the number of bank accounts under seizure declined by 1,800, or 60 percent. In the same period, the number of securities under seizure declined by 1,000, or 50 percent. The result may also reflect lower interest rates that may have improved the sale of real properties held in inventory, and a portion of the assets were transferred to the custody of the Treasury Forfeiture Fund pursuant to P.L. 102-395.
- (3) Another decision having a significant effect on the forfeiture program is the Ninth Circuit's 1994 decision in *U.S. v. \$102,000.25*. The circuit found that forfeiture of a criminal's property constituted "seizure" for purposes of the Fifth Amendment's protection against self-incrimination. Thereafter, the government violated the Constitution if it prosecutes a criminal and forfeits his/her property in separate proceedings. This decision is at odds with numerous decisions across the country. Nevertheless, many convicted felons are seeking their freedom under this decision because of the forfeiture of some of their ill-gotten gains. The response has not been limited to the Ninth Circuit. This and other adverse court decisions have been replicated in part, in the sharp decline in civil forfeiture cases handled by U.S. Attorney Offices (down from 3,399 cases in 1993 to 2,941 cases in 1994). Overall, the number of civil forfeiture cases declined by 1,000, or 30 percent, in the same period. The decline in criminal cases increased (2,325 to 3,037). Criminal forfeiture cases increased in 1995 but have not offset the decline in civil forfeiture cases.
- (4) The increased emphasis on money laundering and international forfeiture could generate substantial additional receipts annually. Hundreds of millions of dollars in illegal proceeds have been secreted overseas. If progress is made in piercing the international banking veil, more of these funds will be subject to repatriation and forfeiture. With the repatriation of assets is not currently a significant source of fund receipts, the Department has made significant progress in recent years in expediting and coordinating foreign governments that such cooperation is in their best interests.
- As of December 1995, a total of 102 countries have signed and ratified the Vienna Convention which provides, *inter alia*, for forfeiture assistance in drug and drug-related (i.e., money laundering) cases. Already, countries are allowing the "extradition" of assets for forfeiture by United States courts. In the same period, the number of countries that have agreed to provide assistance in the forfeiture of assets increased from 102 to 112. The number of countries that have agreed to provide assistance in the forfeiture of assets increased from \$12.4 million, \$11 million, \$8.7 million, and \$5.8 million in fiscal years 1992, 1993, 1994, and 1995 respectively. To date, in 1996, international sharing totals less than \$3 million.
- (5) On the state level, more states are implementing legislation that would abrogate the need for the federal government to "adopt" assets for forfeiture in order to effect the law enforcement aspect of the seizure. Currently, adoption imposes over 20 percent of DOJ's forfeitures but account for less than 10 percent of the assets seized. In the event that states implement their own forfeiture authority, this may result in a reduction in federal forfeiture receipts that result from adoptive seizures.
- (6) The growth in receipts from the proceeds of sale has peaked and is also declining. In 1995, the USMS received 60 new positions to perform property management and contract administration functions for the asset forfeiture program in lieu of part-time efforts by Deputy Marshals. This should provide additional support to the national forfeiture program. The proposed reduction of the U.S. Marshall Service will eliminate the period asset management program as a discreet entity. It is too early to assess the effect of this move on the program.

PROGRAM OPERATIONS EXPENSES

<u>FY 1996 Estimate</u>	<u>FY 1997 Estimate</u>	<u>Increases/Decreases</u>
832,000,000	834,000,000	\$2,000,000

With declining asset inventories, the cost of asset management and disposal has declined as well, from nearly \$60 million in 1995. The primary purpose of the Department of Anticorruption Assets Forfeiture Fund is to ensure an adequate and appropriate source of funding for the management and disposal of seized and forfeited assets. These expenses would otherwise be paid by selling agencies out of operating budgets funded by taxpayer dollars. The Fund pays criminals' money to work for the taxpayer. Growth in costs in recent years are reflective of higher rates of criminal seizures and the increased number of seizures and forfeitures. Eliminating asset inventories, thereby reducing the number of seizures, would reduce the cost of asset management and disposal to approximately \$15 million in 1996, and the level for those expenses in 1999 of \$8 million. In addition, canceled and guard services totaled over 37.3 million in 1996. These costs are expected to be about \$3 million in 1997. At the end of June 1995, the value of the inventory in the categories of real property, businesses, vehicles, aircraft and other property totaled \$50.1 million, down from \$43.9 million at the end of 1994 only because of the sale of real property. The value of the inventory is expected to decline to \$10 million by the end of 1996. The cost of asset management and disposal is a small cost to the overall cost of the program. Management of commercial real properties, confiscated services being provided, and the cost to further enhance program management and efficient disposal of seized real properties, confiscated are already in place in many areas of the country.

Another important issue requiring funding is the assessment, containment and removal of hazardous waste from seized property. The estimate for 1997 requires \$4 million for this activity. The Army and DA will continue to utilize the Fund for disposal of toxic and hazardous substances. The Fund has been instrumental in allowing for the removal of hazardous waste from seized property. These costs include the expense of packaging, transporting and disposing of hazardous waste, chemicals and other hazardous materials seized at clandestine lab sites by certified hazardous waste disposal firms. The Department of Justice is also using the Army Corps of Engineers, on a reimbursable basis, to provide site surveys and assessments of environmental damage on seized properties with suspected hazardous waste contamination. The Corps also provides estimated costs for the clean up of such properties. This service facilitates more informed decisions on the forfeiture or release of such property.

27 1996 Estimate	249,000,000
27 1997 Estimate	243,000,000
Increase/Decrease	-6,000,000

This category includes payments of amounts to satisfy third-party interests, including liquidators and other innocent parties, pursuant to U.S.C. §384(c)(1)(D). Payments in connection with the reversion and mitigation of forfeitures, pursuant to 28 U.S.C. §36(c)(1)(G), and direct expenses incurred in perfecting the forfeiture. Normally, payments of liens are deducted directly from sales proceeds, using procedures customary in real estate settlements. However, in some cases, forfeited cash and proceeds from the sale of forfeited property are first deposited into a trust account. The amount of third party interests included \$16.9 million in 1997, \$27.5 million in 1998, \$40.6 million in 1999, 900 credits in 1999, and \$46.2 million in 2000. Total third party interest payments in 1996 total \$25 million. Figures shown for 1997, 1998 and 1999 include third party payments related to the U.S.-Bulgarian case. The estimated cost of paying third party interest expense for 1997 totals \$25,000,000. The trend in third party interest payments reflects stabilization in the forfeited policy that authorized the payment of liens and mortgages prior to sale of the forfeited asset. The new policy requires that all third party claims be paid by the Government prior to the sale of the asset. This will result in both higher deposits and higher payments.

Also included in this expense category is an estimate of \$10 million for expenses associated with the prosecution of a forfeiture case or execution of a forfeiture judgment, such as advertising, travel and transportation, court and deposition reporting, courtroom exhibit services, and expert witness costs. In appropriate cases, the services of foreign counsel may be necessary. In this area, advertising is the single most significant expense. Under current law, the Department must advertise each seizure three consecutive weeks in a newspaper of general circulation in the area of the seizure. This is in addition to the cost of direct notice to all potential claimants by certified mail or

other means. Thus, this expense is directly related to the volume of seizures. In 1999, advertising expenses totalled approximately \$4.2 million. Efforts to obtain competitive rates for this advertising have resulted in cost savings, though for 1997, advertising expenses were reported to have increased by 10 percent. It is essential that these expenses be met in order that the asset title convey property, at the same time ensuring due process rights of citizens.

	EL 1996 \$41,000,000	EL 1997 \$41,000,000	INCREASE/DECREASE
Equitable Sharing Payments	1305,000,000	830,000,000	---

Equitable sharing payments represent the transfer of portions of Federally forfeited cash, and proceeds from the sale of forfeited property, to state and local law enforcement agencies and foreign governments that directly assisted in targeting or seizing the property. Most cash cases by the Federal Bureau of Investigation (FBI) and DEA include participation by state and local law enforcement agencies. A substantial number of cases by the FBI include participation by 40 percent of its cases, involving about 40 percent of asset value, involve state and local agencies. For DEA, about 70 percent of its cases, involving about 40 percent of asset value, involve state and local agencies. The trend of equitable sharing reflected in the table also reflects this trend. In 1996, the USMS associated 1,327 seizures. By 1997, the number of seizures is expected to be about 24,000 per year. From 1999 through 1999, sharing payments averaged about 45 percent of net income. In 1998, this trend continues. Thus, the decline in sharing reflects the decline in overall receipts, not an adjustment to the rate of sharing.

	EL 1996 \$41,000,000	EL 1997 \$41,000,000	INCREASE/DECREASE
Special Contract Services	143,000,000	147,000,000	4,000,000

The Department of Justice asset forfeiture program is making extensive use of contract personnel to manage the massive paper flow associated with forfeiture. During 1995, the Department placed over 900 contract personnel nationwide to perform data entry, data analysis, word processing, file management, quality control, case file preparation and other support services. These workers have become an integral part of the forfeiture process. Without this support, it would be impossible to maintain the system. For all practical purposes, the forfeiture program would grind to a halt, income to the fund would reduce to a trickle, expenses for maintenance and storage would increase, and the market value of property languishing in inventory would be adversely affected. During 1996, contractors deployed under this expense category will decline somewhat because of reduced asset seizures. The increase in 1997 reflects contractual increases.

	EL 1996 \$41,000,000	EL 1997 \$41,000,000	INCREASE/DECREASE
App Equipment	119,000,000	119,000,000	---

The major information system development plan initiated in 1996 should be fully implemented sometime during 1997. From an automation viewpoint, 1997 will be a major milestone for the asset forfeiture program. In nationwide Consolidated Asset Tracking System (CATS) will be implemented. This system will replace the current system, which is a patchwork of various systems. The new system will be a single, integrated forfeiture program. Existing agency data bases will have been converted to CATS, operating procedures updated, system users re-trained, and parallel testing concluded. For the first time, on a full-year basis in 1996, the Department of Justice will be able to prepare complete reports on all asset forfeiture activity on a contemporaneous basis. Investigative and prosecutive agencies will have available the actual results of their efforts, and office, agency and Department managers will be able to assess the efficiency of the forfeiture program and estimate future program needs. In addition, with the adoption of the U.S. Mail Service to the Department's financial management system (FMS), the Department will be able to produce more informative financial statements that reflect the full economic activity of the asset forfeiture program.

CATS will tie several hundred locations together into a national telecommunications network, provide modern technology to perform many tasks currently done manually or to make automated tasks more efficient, eliminate redundant entry of information, provide consistency among the agencies performing the same function, provide instant information to field users, provide instant information to the status of various cases, integrate financial analysis capabilities into the inventory management process, provide a rational process for the allocation of program income and

Due to the broad scope and the extraordinary complexity of this development project, it is estimated that implementation will continue through 1993 and 1997. Funding will be provided for the following: (1) purchasing costs of operation and maintenance of the CAIS; (2) recurring costs of user training; (3) recurring costs of user support; (4) recurring costs of the user support facility (e.g., a "help" line); and (5) data center charges in support of the network.

Revisions and Printing

The Department is using the Law Enforcement Coordinating Committee (LECC) coordinators to provide instruction in the field with respect to the use of the equitable sharing program. It will be necessary to equate state and local agencies, as well as the coordinators, with changes in Federal forfeiture laws and Department procedures. Training is needed in new techniques to be used in developing financial investigations. Improved record-keeping can lead to assets that can be forfeited under RICO and the substantive money laundering statute. In addition, many districts will hold local training programs.

[illegible]

10-11-12-13-14-15-16-17-18-19-20-21-22-23-24-25-26-27-28-29-30-31-32-33-34-35-36-37-38-39-40-41-42-43-44-45-46-47-48-49-50-51-52-53-54-55-56-57-58-59-60-61-62-63-64-65-66-67-68-69-70-71-72-73-74-75-76-77-78-79-80-81-82-83-84-85-86-87-88-89-90-91-92-93-94-95-96-97-98-99-100-101-102-103-104-105-106-107-108-109-110-111-112-113-114-115-116-117-118-119-120-121-122-123-124-125-126-127-128-129-130-131-132-133-134-135-136-137-138-139-140-141-142-143-144-145-146-147-148-149-150-151-152-153-154-155-156-157-158-159-160-161-162-163-164-165-166-167-168-169-170-171-172-173-174-175-176-177-178-179-180-181-182-183-184-185-186-187-188-189-190-191-192-193-194-195-196-197-198-199-200-201-202-203-204-205-206-207-208-209-210-211-212-213-214-215-216-217-218-219-220-221-222-223-224-225-226-227-228-229-230-231-232-233-234-235-236-237-238-239-240-241-242-243-244-245-246-247-248-249-250-251-252-253-254-255-256-257-258-259-260-261-262-263-264-265-266-267-268-269-270-271-272-273-274-275-276-277-278-279-280-281-282-283-284-285-286-287-288-289-290-291-292-293-294-295-296-297-298-299-300-301-302-303-304-305-306-307-308-309-310-311-312-313-314-315-316-317-318-319-320-321-322-323-324-325-326-327-328-329-330-331-332-333-334-335-336-337-338-339-340-341-342-343-344-345-346-347-348-349-350-351-352-353-354-355-356-357-358-359-360-361-362-363-364-365-366-367-368-369-370-371-372-373-374-375-376-377-378-379-380-381-382-383-384-385-386-387-388-389-390-391-392-393-394-395-396-397-398-399-400-401-402-403-404-405-406-407-408-409-410-411-412-413-414-415-416-417-418-419-420-421-422-423-424-425-426-427-428-429-430-431-432-433-434-435-436-437-438-439-440-441-442-443-444-445-446-447-448-449-450-451-452-453-454-455-456-457-458-459-460-461-462-463-464-465-466-467-468-469-470-471-472-473-474-475-476-477-478-479-480-481-482-483-484-485-486-487-488-489-490-491-492-493-494-495-496-497-498-499-500-501-502-503-504-505-506-507-508-509-510-511-512-513-514-515-516-517-518-519-520-521-522-523-524-525-526-527-528-529-530-531-532-533-534-535-536-537-538-539-540-541-542-543-544-545-546-547-548-549-550-551-552-553-554-555-556-557-558-559-560-561-562-563-564-565-566-567-568-569-570-571-572-573-574-575-576-577-578-579-580-581-582-583-584-585-586-587-588-589-590-591-592-593-594-595-596-597-598-599-600-601-602-603-604-605-606-607-608-609-610-611-612-613-614-615-616-617-618-619-620-621-622-623-624-625-626-627-628-629-630-631-632-633-634-635-636-637-638-639-640-641-642-643-644-645-646-647-648-649-650-651-652-653-654-655-656-657-658-659-660-661-662-663-664-665-666-667-668-669-670-671-672-673-674-675-676-677-678-679-680-681-682-683-684-685-686-687-688-689-690-691-692-693-694-695-696-697-698-699-700-701-702-703-704-705-706-707-708-709-710-711-712-713-714-715-716-717-718-719-720-721-722-723-724-725-726-727-728-729-730-731-732-733-734-735-736-737-738-739-740-741-742-743-744-745-746-747-748-749-750-751-752-753-754-755-756-757-758-759-760-761-762-763-764-765-766-767-768-769-770-771-772-773-774-775-776-777-778-779-780-781-782-783-784-785-786-787-788-789-790-791-792-793-794-795-796-797-798-799-800-801-802-803-804-805-806-807-808-809-810-811-812-813-814-815-816-817-818-819-820-821-822-823-824-825-826-827-828-829-830-831-832-833-834-835-836-837-838-839-840-841-842-843-844-845-846-847-848-849-850-851-852-853-854-855-856-857-858-859-860-861-862-863-864-865-866-867-868-869-870-871-872-873-874-875-876-877-878-879-880-881-882-883-884-885-886-887-888-889-890-891-892-893-894-895-896-897-898-899-900-901-902-903-904-905-906-907-908-909-910-911-912-913-914-915-916-917-918-919-920-921-922-923-924-925-926-927-928-929-930-931-932-933-934-935-936-937-938-939-940-941-942-943-944-945-946-947-948-949-950-951-952-953-954-955-956-957-958-959-960-961-962-963-964-965-966-967-968-969-970-971-972-973-974-975-976-977-978-979-980-981-982-983-984-985-986-987-988-989-990-991-992-993-994-995-996-997-998-999-1000-1001-1002-1003-1004-1005-1006-1007-1008-1009-1010-1011-1012-1013-1014-1015-1016-1017-1018-1019-1020-1021-1022-1023-1024-1025-1026-1027-1028-1029-1030-1031-1032-1033-1034-1035-1036-1037-1038-1039-1040-1041-1042-

This category includes several types of agencies that are important to the overall management of the asset forfeiture program. This funding will provide for assessment analysis, performance assessment, problem analysis, requirements analyses, policy development, and other special projects designed to improve program performance. This funding will provide travel and per diem funds for temporary duty assignments needed to correct program deficiencies. In addition, the Department plans to establish a task order contract with one or more national accounting services firms. When the JAGS teams that detainee of a business is defendant, they will be able to prepare a task order to obtain the professional services needed to conduct a valuation of businesses inventory to complete an assessment of assets and liabilities of the individual. The Department also intends to enter into a task order contract with a forensic accounting firm to assist in the completion of other activities to be funded under this heading include the annual audit of financial statements of the Assets Forfeiture Fund and the seized Asset Forfeiture Fund by an independent accounting firm, and special assessments and reviews. In 1999, the Department established a policy requiring annual audits of the Funds. Such audits are now also required by law. A new policy of the department beginning in 1999, and continuing through 1997, has resulted in additional increases to management expenses. Up to \$5 million of the estimate reflects the decision to fund non-personnel costs of the U.S. Marshals Service as well as the cost of the U.S. Marshals Service's information technology system. The U.S. Marshals Service's original estimate of \$8 million has been increased to reflect the need to purchase computer equipment to support the U.S. Marshals Service's information technology system dedicated to the asset forfeiture program by the U.S. Marshals Service as the result of the declining inventory and other mission priorities.

<u>FY 1996 Estimate</u>	<u>FY 1997 Estimate</u>	<u>Increase/Decrease</u>
85,000,000	95,000,000	...

The resources requested for 1997 will be used to identify assets during the investigative stage of the case where such research will both significantly impact income to the asset and alter the planning position of alleged criminals. If the government can improve upon the current tax treatment of assets, it will be able to identify assets that are more likely to be used in criminal activity. The government will also be able to identify assets that are more likely to be used in criminal activity. The government will also be able to identify assets that are more likely to be used in criminal activity. The government will also be able to identify assets that are more likely to be used in criminal activity.

9. **Storage, Protection, and Destruction of Controlled Substances**
- | | FY 1996 Estimate | FY 1997 Estimate | Increases/Decreases |
|---|------------------|------------------|---------------------|
| This is an uncontrollable asset-specific expense consisting of the costs of warehousing and guarding controlled substances, and the costs associated with the removal, transportation, and destruction of these substances. This funding has also been used to purchase safes for the storage of controlled substances. | \$1,000,000 | \$1,000,000 | ... |
10. **Joint Federal/State and Local Law Enforcement Operations**
- | | FY 1996 Estimate | FY 1997 Estimate | Increases/Decreases |
|---|------------------|------------------|---------------------|
| Public Law 102-397, referred to as the 1993 Treasury Appropriation Act, amended Title 28 U.S.C. 534(c), enacting new authority for the assets forfeiture fund to pay for overtime, travel, fuel, training, equipment, and other similar costs associated with local law enforcement efforts to combat organized crime, drug trafficking, and other violent crimes. The Department has implemented a cooperative effort to benefit both Federal and state and local law enforcement efforts. The Department has implemented policy for the allocation of resources for this new authority, and during 1994 \$10.4 million of this new authority was provided to the Administration's Used and Seized Program. In 1995, resources totaling \$25.9 million were applied to state and local law enforcement expenses, including \$3 million recommended for the FBI's Safe Streets task force, and \$9 million for the Used and Seized Program. In 1996 and 1997, the Department has continued to support this program, and has also provided support for other law enforcement efforts. This funding is consistent with the Attorney General's top program priorities including these efforts to reduce violent crime, and to reduce the incidence of organized crime, among others. | \$13,000,000 | \$13,000,000 | ... |

INVESTIGATIVE EXPENSES

Definite, appropriated (discretionary) authority

1. **Awards for Information and Purchase of Evidence**
- | | FY 1996 Estimate | FY 1997 Estimate | Increases/Decreases |
|---|------------------|------------------|---------------------|
| The two categories of awards payable from the Fund directly support law enforcement efforts by encouraging the cooperation and assistance of informants. The two categories are (1) for information or assistance related directly to the forfeiture of property; and (2) for information or assistance related to a violation of criminal drug laws, including information leading to the arrest and conviction of anyone who kills or kidnaps a Federal drug law enforcement agent. The Fund may also be used to purchase evidence of violations of the drug law, of SIO, and of criminal money-laundering law. | \$25,000,000 | \$25,000,000 | ... |
- Payment of awards to sources of information creates tremendous motivation for individuals to assist the government in the investigation of criminal activity and the seizure of assets. Many cases would be impossible to bring to trial without the use of cooperating individuals. Even where the government has reason to believe criminal activity is occurring, an inside informant can facilitate the cost effective deployment of scarce investigative resources to obtain the greatest results. These expense categories would be used in support of among the Attorney General's top priority programs, including these efforts to reduce violent crime, and to reduce the incidence of organized crime, and to reduce the incidence of organized crime, among others.
2. **Equipping Conveyances**
- | | FY 1996 Estimate | FY 1997 Estimate | Increases/Decreases |
|--|------------------|------------------|---------------------|
| This category provides funding to equip conveyances for law enforcement functions. This funding has been used for emergency and communications equipment, voice privacy and surveillance equipment, armoring, and engine upgrades and avionics equipment for aircraft. Further, the funding has been utilized for special projects operations of the Department where no other resources were available. In 1995, over \$4.4 million was used to equip various aircraft for the U.S. Marshals Service air fleet needs, and to equip vehicles for investigative agencies to provide highly sophisticated investigative ability. By the end of 1996, providing receipts materialize to support this funding, | \$2,000,000 | \$2,000,000 | ... |

\$2 million will have been used to equip new, seized and forfeited vehicles to make them suitable for surveillance and other law enforcement purposes. Fund resources have also been used to equip specialized surveillance vehicles, the cost of which equipping can easily exceed \$50,000 per vehicle. Given the great expense involved, it is only through fund resources that many of these surveillance vehicles are available to law enforcement agencies. The Department of Justice has also used fund resources to purchase and install equipment for other intelligence gathering investigations. The intelligence gathered from surveillance is the cornerstone of any case against most major drug violators. In addition, evidence obtained through the use of such surveillance often provides the audio and video documentation necessary to convict major violators. These funds have been used in support of the Attorney General's expressed highest priority, including the use of funds to support the Department of Justice's efforts to combat drug trafficking. Funds have also been used to support the investigation and rehabilitation service to equip law enforcement cars that might not otherwise have been placed in service until equipping resources were appropriated in the future by Congress. Funds continue to be afforded to the equipping and rehabilitation of law enforcement vehicles used in apprehending border patrol activities. Without this funding, these law enforcement cars would lose their immediate use value and be rendered unusable. The Department of Justice has used fund resources to purchase and install equipment for vehicles to be made available to law enforcement agencies. Without this funding, the Department of Justice would lose this valuable support.

Assets Forfeiture Fund
Status of Congressional Mandated Study, Reports and Evaluation

Reference: H.R. 104-194, page 19. "Review feasibility of consolidating asset management disposition contracts with vendors providing these services for both the U.S. Marshall Service and the Department of the Treasury agencies."

Beginning in 1994, Treasury agencies formerly participating in the Department's Fund now participate in the Treasury Forfeiture Fund. All Treasury seizures are turned over to a national Treasury custodian pending forfeiture, after which forfeited proceeds are deposited into the Treasury fund. In those instances where the seizure resulted from a joint operation involving a Justice Bureau, a sharing of the proceeds with the Department of Justice Assets Forfeiture Fund will occur. Efforts to coordinate the practices and policies of both Funds continue in order to ensure the vitality and integrity of this important law enforcement tool. The Treasury and Justice Departments have been working closely to ensure that the Treasury Forfeiture Fund and the Department of Justice Assets Forfeiture Fund are managed and disposed of assets in a consistent manner. The Treasury Department has been discussing this issue with the Treasury Department and are proposing to issue a task order to review the feasibility of consolidating property management contracts and have a report by the end of the fiscal year.

Anasra Facilities Fund				
Summary of Requirements by Object Class				
(Dollars in thousands)				
Object Class	1995 Actual	1996 Estimate	1997 Estimate	Increase/ Decrease
11.9 Special personal services payments.....	2,349	1,000	1,000	..
Total, personnel compensation.....	2,349	1,000	1,000	..
12.1 Personal benefits.....	4,163	8,000	8,000	..
21 Travel and transportation of personnel.....	4,091	1,000	1,000	..
22 Transportation of things.....	6,184	6,000	7,000	1,000
23.1 Rental payments to SSA.....	5,982	6,000	6,000	..
23.2 Rental payments to Others.....	1,947	7,000	10,000	3,000
23.3 Communications, utilities and misc. charges.....	1,231	6,000	6,000	..
24.1 Printing and reproduction.....	10,283	10,000	10,000	..
25.1 Consulting services.....	400,795	398,381	399,000	-9,381
25.2 Other services.....	3,049	600	..	-6,000
26 Supplies and material.....	1,972	..	..	..
31 Equipment.....	3,370	..	..	..
32 Land and structures.....	107	..	..	..
41 Capital expenditures.....	..	..	..	..
42 Insurance claims.....	..	..	..	..
43 Interest and dividends.....	..	..	..	..
Total obligations.....	447,753	444,381	433,000	-11,381
Relationship of obligations to outlays:				
Obligated balance, start of year.....	420,994	331,854	195,235	
Obligated balance, end of year.....	331,854	195,235	219,235	
Outlays.....	544,872	511,000	499,000	

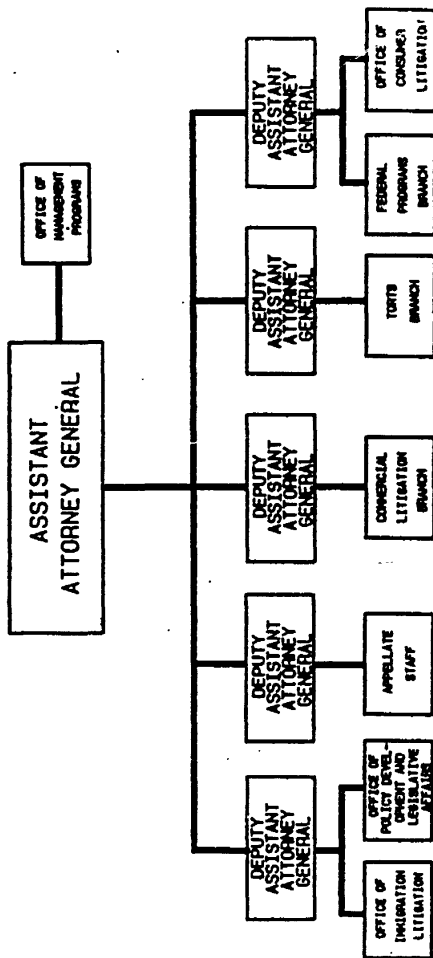
Assets, Definitive Fund
1987 Priorities Revisions

BASE PROGRAM	
Expense Category	Refund
Program, Indefinite	1
Program Operations Expenses	
Accumulated, Indefinite	2
Investigative Expenses	

Department of Justice
Radiation Exposure Compensation
Administrative Expenses
Estimate for Fiscal Year 1997
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CIVIL DIVISION



Approved:  Date: 7-3-90
 Dick Thompson
 Attorney General

Department of Justice
Radiation Exposure Compensation
Administrative Expenses
Summary Statement
Fiscal Year 1997

The Radiation Exposure Compensation Act of 1990 (the Act) offers an apology and monetary compensation to individuals exposed to radiation released during above-ground nuclear weapons tests and uranium mining. The Act was amended by the National Defense Authorization Act for FY 1991 to include payments to individuals who participated onsite in atmospheric nuclear tests. Payments to affected individuals come from the Radiation Exposure Compensation Trust Fund (the Fund) authorized by the Act. Although the program activities of the Department of Defense and the predecessors to the Department of Energy precipitated the need for the Act, the Attorney General is responsible for the disbursement of the Fund and has delegated the administration of the Fund to the Civil Division's Radiation Exposure Compensation Program (the Program).

To administer the Program, the Civil Division was provided new positions and funds through a direct allocation to the General Legal Activities appropriation in 1993 in order to more effectively reflect the administrative expenses associated with the Fund. A separate appropriation was established in 1993 by transferring funds from the General Legal Activities appropriation. The 1993 appropriation of \$2,721,000 (reduced to \$2,386,000 by a transfer to meet other urgent needs of the Department) was scored against the Defense Classification and, through a reimbursable agreement, was made available to the Civil Division under Object Class 25.0 (Other Services). In 1994, the appropriation for administrative expenses was \$2,668,000. In 1995, the Civil Division received an initial appropriation of \$2,659,000, which was reduced to \$2,053,000 as part of a Government-wide rescission. Initially, a staff of 17 was hired to handle the expected deluge in claims. Currently, the Program has 12 employees, including attorneys, paralegals, claims examiners, a nurse and a legal assistant.

The Program was implemented in April 1993; new claims arrived at an average of 316 per month throughout the remainder of that fiscal year. By 1993, new claims decreased to an average of 112 per month and claims averaged 20 per month. By 1995, new claims decreased to an average of 69 per month and appeals averaged 7 per month. Without statutory changes which add new classes of claimants or relax standards for approval, claim receipts are likely to continue to decline, to 58 per month in 1997. Appeals received in 1997 are projected to increase slightly, to eight per month.

While the number of receipts are dropping, the complexity and the labor-intensity of the workload is increasing. Today, relatively fewer claims and appeals are found to be meritorious without additional information or verification, which requires additional processing time. Thus, 963 claims and appeals were processed in 1995, compared to 1,677 terminations in 1994. By 1997, the Program projects that a total of 806 claims and appeals will be processed.

In the absence of statutory changes to the scope of the Program, the Civil Division will require a minimum of 13 positions, 12 FTE and \$2,000,000 in 1997.

Department of Justice
Radiation Exposure Compensation
Administrative Expenses
Justification of Proposed Changes in Appropriation Language

Administrative Expenses

For necessary administrative expenses pursuant to the Radiation Exposure Compensation Act, \$1,000,000.

Note.—A regular 1994 appropriation for this account had not been enacted at the time this budget was prepared. The 1994 amounts included in this budget are based on the levels provided in those continuing resolutions: P.L. 104-91, P.L. 104-92, and P.L. 104-93.

Department of Justice
Radiation Response Compensation
Administrative Expenses
Summary of 1996 Changes
(Dollars in thousands)

<u>Activity/Program</u>	<u>1996 President's</u>		<u>Congressional</u>		<u>1996 Appropriation</u>	
	<u>Request Request</u>		<u>Appropriation Action</u>		<u>Act Increased</u>	
	<u>For.</u>	<u>NY Amount</u>	<u>For.</u>	<u>NY Amount</u>	<u>For.</u>	<u>NY Amount</u>
Radiation Response Compensation	...	\$2,695	...	...	...	\$2,695
Administrative Expenses	...	...	...	...	...	...

Department of Justice
Radiation Exposure Compensation
Administrative Expenses
Summary of Reimbursements
(Dollars in thousands)

	1995 Actual		1996 Actual		1997 Actual		1997 Estimate		Increase/Decrease	
	Per.	MI	Per.	MI	Per.	MI	Per.	MI	Per.	MI
<u>Adjustments to base:</u>										
1996 President's request.....										
1997 Base.....										
1997 Estimate.....										
1996 Appropriation										
<u>Anticipated</u>										
<u>Actual</u>										
Reimbursement by										
<u>Activity</u>										
<u>Compensation</u>										
<u>Admin. Expenses</u>										

The Fund is used to compensate individuals exposed to radiation released during above-ground nuclear weapons tests and uranium mining. In 1992, the Civil Division of the Department of Justice was appropriated funds to implement the program. Beginning in 1993, funding was secured against the Defense functional classification and made available to the Civil Division of the Department of Justice under Object Class 25.0 (Other Services).

¹ A reduction of \$600,000 was made to the Radiation Exposure Compensation Administrative Expenses Account to cover part of the Department of Justice's share of the Government-wide realignment.

Radiation Exposure Compensation
Administrative Expenses
Salaries and Expenses
Program Performance Information
(Dollars in Thousands)

	Perm. FOL	FTE	Amount
Radiation Exposure Compensation Administrative Expenses			
1992 Appropriation Anticipated	\$2,653
1997 Estimate	\$2,000
1997 Estimate	\$2,000
Increase/Decrease

BASE PROGRAM DESCRIPTION: The Radiation Exposure Compensation Act of 1990 (the Act) offers an apology and monetary compensation to individuals exposed to radiation released during above-ground nuclear weapons tests and uranium mining. The Act was amended by the National Defense Authorization Act for FY 1991 to include payments to individuals who participated onsite in atmospheric nuclear tests. Payments to affected individuals come from the Radiation Exposure Compensation Trust Fund (the Fund) authorized by the Act. The Act provides for payments to individuals who developed specified diseases, based on the type of exposure: \$50,000 to individuals who lived downwind of nuclear test sites, \$75,000 to persons who participated onsite in atmospheric nuclear tests and \$100,000 to individuals employed as uranium miners.

Although the program activities of the Department of Defense and the predecessors to the Department of Energy precipitated the need for the Act, the Attorney General is responsible for the disbursement of the Fund and has delegated the administration of the Fund to the Civil Division's Radiation Exposure Compensation Program (the Program). In March 1992, the Program published regulations structured to minimize the documentation requirements for individual claimants while providing maximum possible protection against fraud and abuse. To receive compensation, a claimant need only prove that he or she resided in one of the specified areas during the specified time period, participated in or was downwind of a nuclear weapons test or was an employee in an uranium mine and developed one of the designated ailments within a certain number of years. Additionally, should a claim be denied, a streamlined appeals process enables a claimant to seek review of a decision from the designated Appeals Officer within 60 days of the denial.

To administer the Program, the Civil Division was provided new positions and funds through a direct allocation to the General Legal Activities appropriation in 1992. In order to more effectively reflect the administrative expenses associated with the Fund, a separate appropriation was established in 1993 by transferring funds from the General Legal Activities appropriation. The 1993 appropriation of \$2,722,000 (reduced to \$2,586,000 by a transfer to meet other urgent needs of the Department) was scored against the Defense Classification and, through a reimbursable agreement, was made available to the Civil Division under Object Class 25.0 (Other Services). In 1994, the appropriation for administrative expenses was \$2,668,000. In 1995, the Civil Division received an initial appropriation of \$2,655,000, which was reduced to \$2,055,000 as part of a Government-wide rescission. Initially, a staff of 17 was hired to handle the expected deluge in claims. Currently, the Program has 12 employees, including attorneys, paralegals, claims examiners, a nurse and a legal assistant.

In addition to adjudicating claims and ensuring compliance with governing laws and regulations, the Program staff conducts extensive outreach. Outreach includes the issuance of numerous press releases, the establishment and support of a toll-free phone line and participation in highly publicized events such as the annual Wawaio Nation Fair and other community-based forums. At these events, staff members explain the Act and regulations and respond to questions. Participants receive handouts, copies of regulations, claim forms and guidebooks. To further publicize the Program, the staff submits notices about the Program to several encyclopaedia association publications.

Other ways in which the Program has sought to facilitate the process for claimants and speed the delivery of service abound. For example, Program staff created special claims forms and guidebooks for each of the three claimant categories. Substantial effort was expended to make the forms and guidebooks easily usable by persons without an attorney. Through calendar year 1995, the Civil Division has fulfilled requests for over 10,600 of these claims packages. Program staff also developed release forms to obtain information from state, federal and private sources to assist claimants.

In addition, the Civil Division designed and implemented an automated system which maintains information about the claimants, victims, illnesses and radiation exposure. The system tracks actions due and completed by the staff and generates tickler reports used to manage the workload, schedule processing and assure that claims are handled in a timely manner. The system also generates various letters and notices along with mailing labels to be sent to claimants. Finally, the system enables the staff to provide prompt answers to the numerous status inquiries received.

The Program was implemented in April 1992 when the staff was hired and the regulations, systems and procedures were put in place to process claims. Throughout the remainder of that fiscal year, new claims arrived at an average of 316 per month. By 1993, new claims decreased to an average of 112 per month and appeals averaged 20 per month. By 1995, new claims decreased to an average of 69 per month and appeals averaged 7 per month. Without statutory changes which add new classes of claimants or relax standards for approval, claim receipts are likely to continue to decline to 58 per month in 1997. Appeals received in 1997 are projected to increase to eight per month, as a result of somewhat lower approval rates.

While the number of receipts are dropping, the complexity of the workload is increasing. Today, relatively fewer claims and appeals are found to be meritorious without supplemental information or investigation. As additional information or verification is required to ensure compliance with the law, the time needed to process claims and the labor-intensity of the claims overall has increased.

ACCOMPLISHMENTS: More than any other Civil Division component, the Radiation Exposure Compensation Program provides a service directly to the public. Since its inception, Program managers have set performance targets which measure the Government's responsiveness in claims processing, while maximizing claimants' opportunities to complete their claims, fulfill criteria and receive compensation. The performance targets hone in on two critical steps in the processing of claims: 1) limit the number of days between receipt of a

claim and the date of the acknowledgment letter' to five; (2) limit the number of days between the date of the acknowledgment letter and the date of the initial request for information' to forty. In 1995, 96 percent of claimants were sent an acknowledgment letter within five days of receipt of their claims and 91 percent of claimants whose claims required additional information were notified within forty days of the dispatch of the acknowledgment letter. The Program will continue to strive for the optimum in service to claimants by setting performance targets of 95 percent for both indicators.

The 'Acknowledgment' letter notifies claimants that a claim has been received, apprises them of their claim number and informs them of when they can expect to receive a decision. The more quickly the claimants are contacted, the more readily the most common questions are answered and the more opportunity they have to provide necessary documents and receive compensation.

A 'Request for Information' letter notifies claimants of deficiencies in a claim, and informs them of the information needed to fulfill eligibility criteria and receive compensation.

PERFORMANCE MEASUREMENT TABLE: PRESENTED BY DECISION UNIT

NAME OF DECISION UNIT: Civil Division - Radiation Exposure Compensation Program						
PERFORMANCE INDICATOR INFORMATION		PERFORMANCE TARGETS AND ACTUAL RESULTS				
Type of Indicator	Performance Indicators	1993 Actual	1994 Actual	1995 Actual	1996 Target	1997 Target
Input	1. Number of claims and appeals pending beginning of year 2. Number of claims and appeals filed during year	1,557 1,585	796 1,460	573 915	525 787	508 721
Output/Activity	3. Number of claims and appeals approved during year 4. Number of claims and appeals denied during year	942 1,418	691 966	464 559	295 569	263 538
Outcome	5. Percent of "Acknowledgement" letters sent within 5 days 6. Percent of "Request" letters sent within 40 days	N/A N/A	94% 94%	96% 91%	95% 95%	95% 95%
A. Definitions of Terms or Explanations for Indicators:						
<ul style="list-style-type: none"> Indicators 1, 2, 3 and 4: Counts for these indicators were developed in a manner consistent with prior budget submissions. Indicator 5: An "Acknowledgement" letter notifies claimants that a claim has been received, appraises them of their claim number and informs them of when they can expect to receive a decision. This indicator was first developed in 1994, therefore figures for 1993 are not available. Indicator 6: A "Request" letter notifies claimants of deficiencies in a claim, and informs them of the information needed to fulfill eligibility criteria and receive compensation. This indicator was first developed in 1994, therefore figures for 1993 are not available. 						
B. Factors Affecting FY 95 Program Performance:						
<ul style="list-style-type: none"> Indicators 3, 4 and 6: The Program's workload has become increasingly complex to adjudicate, while staffing has remained flat. Further, the Program experienced slowdowns in the processing of minor claims due to the need to obtain additional medical evaluation prior to making a determination of eligibility. 						
C. Factors Affecting Selection of FY 96 and 97 Targets:						
<ul style="list-style-type: none"> Indicators 5 and 6: The Radiation Exposure Compensation Program has challenged itself by setting performance indicators of 95 percent. Although the 1995 result for indicator 6 was shy of the mark, the Program will continue to strive for the optimum in service to claimants. 						

Department of Justice
 Radiation Exposure Compensation
 Administrative Expenses
 Justification of Adjustments to Base
 (Dollars in thousands)

Adjustments To Base	Fiscal Year	Fiscal Year	Amount
Decreases			
1. Cost Adjustment..... This reduced level provides sufficient funds to cover all anticipated expenses needed to ensure the timely and accurate processing of claims.	(\$65)
Total decreases.....	(65)
Total Adjustments To Base.....	(65)

Civil Division
 Budgetary Resources Comparison
 Administrative Resources
 Summary of Requirements by Grade and Object Class
 (Dollars in thousands)

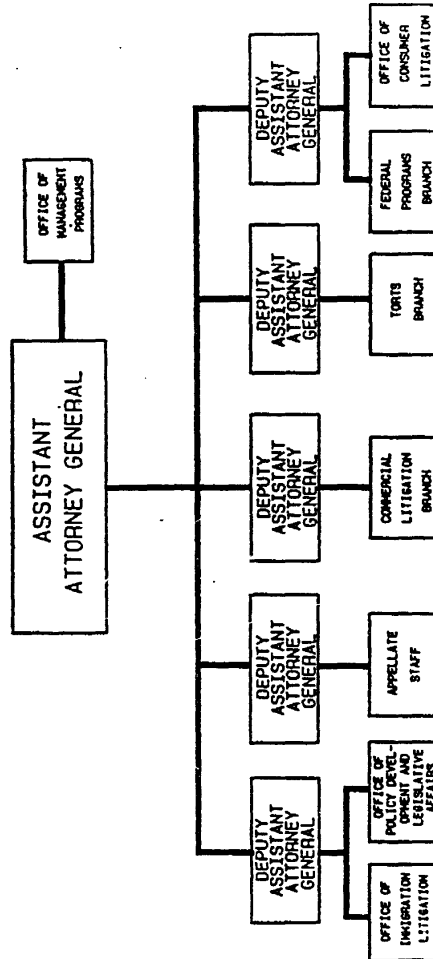
	1995 Actual		1996 Estimate		1997 Estimate		Increase/Decrease Positions & Workyears
	Positions & Workyears	Amount	Positions & Workyears	Amount	Positions & Workyears	Amount	
Object Class							
11.1 Full-time permanent.....	...	...	...	...	...	...	...
11.2 Other than full-time permanent.....	...	...	...	...	...	...	...
11.3 Other personal compensation.....	...	...	...	...	...	...	...
11.4 Special personal services payments.....	...	...	...	...	...	...	...
11.5 Total.....	...	...	...	...	...	...	...
12 Reimbursable workyears:							
12.1 Other than permanent.....	(...)	(...)	(...)	(...)	(...)	(...)	(...)
12.2 Personal benefits.....	...	...	...	...	...	...	...
21 Travel and transportation of persons.....	34	...	62	...	41	...	(71)
22 Transportation of things.....	3	...	4	...	4	...	...
23.1 GSA rent.....	134	...	137	...	141	...	4
23.2 Communications, utilities, and							
miscellaneous charges.....	41	...	52	...	54	...	2
24 Printing and reproduction.....	1	...	7	...	2	...	(5)
25 Other services.....	1,400	...	2,343	...	1,713	...	(630)
26 Supplies and materials.....	11	...	10	...	10	...	...
31 Equipment.....	22	...	20	...	15	...	(7)
Total obligations.....	1,627	...	2,655	...	2,000	...	(655)
Unobligated balance, start of year.....	...	...	...	...	...	...	...
Unobligated balance, end of year.....	...	...	...	...	...	...	...
Unobligated balance expiring.....	428	...	...	...	...	...	...
Total requirements.....	2,055	...	2,655	...	2,000	...	...
Balance of obligations to employees:							
Total obligations.....	1,627	...	2,655	...	2,000	...	...
Obligated balance, start-of-year.....	(121)	...	121	...	...	...	...
Obligated balance, end-of-year.....	699	...	(...)	...	(...)	...	...
Adjustments in expired accounts.....	2,195	...	2,776	...	2,000	...	...

¹ Obligations for salaries and benefits are reflected in object class 2500 because the positions and workyears assigned to this program are reimbursable.

Department of Justice
Radiation Exposure Compensation
Payments to the Radiation Exposure Compensation Trust Fund
Estimates for Fiscal Year 1997
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CIVIL DIVISION



Approved:  Date: 7-3-90
 RICK THOMPSON
 Attorney General

Department of Justice
Radiation Exposure Compensation
Payments to the Radiation Exposure Compensation Trust Fund
Summary Statement
Fiscal Year 1997

The Radiation Exposure Compensation Trust Fund (the Fund) was established to permit the payment of claims to individuals exposed to radiation as a result of atmospheric nuclear tests and uranium mining in accordance with the Radiation Exposure Compensation Act of 1990. The Act was amended by the National Defense Authorization Act for FY 1991 to include payments to individuals who participated onsite in atmospheric nuclear tests. The Act provides for payments to individuals who developed specific diseases, based on the type of exposure: \$30,000 to individuals who developed cancer, \$15,000 to persons who participated onsite in atmospheric nuclear tests and \$100,000 to individuals employed as uranium miners.

Although the Fund is available for disbursement only by the Attorney General, the program activities of the Department of Defense and the predecessors to the Department of Energy precipitated the need for the Act. Thus, the Department of Justice seeks appropriations on their behalf under functional classification 050 - Defense. To make payments to claimants, the Fund was appropriated \$30,000,000 in 1992 and \$170,750,000 in 1993.

The Attorney General has delegated the administration of the Fund to the Civil Division's Radiation Exposure Compensation Program (the Program). Full-scale implementation of the Program began in April 1992. Through 1995, the Program received 5,272 claims, approved 2,377 awards totaling \$174,457,000 and denied 2,401 claims (32 were on appeal). The award amounts drive the payment amounts; however, in any given year, payment totals may differ from award totals as a result of the timing of the actual payments. Payments to claimants through 1995 totaled \$174,459,000.

To estimate the Program's resource requirements in 1997, the Civil Division analyzed trends with respect to receipts, terminations and approval rates. Based on recent trends, the Civil Division assumes the following: (1) new claims received will continue to decline, from a monthly average of 69 in 1995 to a monthly average of 58 in 1997; (2) the percentage of new claims filed by miners will continue to dominate the receipts, growing from 56 percent of the receipts in 1995 to 60 percent in 1997; (3) the number of claims and appeals processed will decrease 17 percent from 1995 to 1997; and (4) overall approval rates will continue to decline, from 47 percent in 1995 to 38 percent in 1997.

Taken together, these assumptions point to the Program's approval of 295 awards totaling \$24,550,000 in 1996 and \$22,238,000 in 1997. Payments in 1996 and 1997 are estimated to be \$25,462,000 and \$22,238,000, respectively. The balance of the Fund at the end of 1997 is estimated to be \$167,000,000. Thus, \$30,000,000 appropriation in 1997 will be sufficient to cover anticipated payments in 1997. Moreover, the monies carried forward into 1998, including interest expected, should be sufficient to make projected payments of \$20,379,000 in 1998.

The Civil Division seeks an appropriation of \$30,000,000 for 1997 under the functional classification 050 - Defense to cover projected payments to claimants in 1997 and 1998. This projection is based on relatively conservative assumptions regarding the Program's receipts, terminations and approval rates. Actual results which deviate only slightly from the assumptions could precipitate significant changes in projected payments that would require an appropriation for the Program in 1998.

Department of Justice
Radiation Exposure Compensation
Payments to the Radiation Exposure Compensation Trust Fund
Justification of Proposed Changes in Appropriation Language

Payment to Radiation Exposure Compensation Trust Fund

For payments to the Radiation Exposure Compensation Trust Fund, \$13,716,000.

Note.--A regular 1996 appropriation for this account had not been enacted at the time this budget was prepared. The 1996 amounts included in this budget are based on the levels provided in three continuing resolutions: P.L. 104-91, P.L. 104-92, and P.L. 104-99.

Department of Justice
Radiation Exposure Compensation
Payments to the Radiation Exposure Compensation Trust Fund
Comparison of 1996 Changes
(Dollars in thousands)

Activity/Program	1996 President's Budget Request		Congressional Appropriation Actions on 1996 Request		Reprogramming		1996 Appropriation Anticipated	
	Amount		Amount		Amount		Amount	

Radiation Exposure Compensation Trust Fund	\$16,264							
				

Congressional Appropriation Actions on 1996 Request. Congress gave the Civil Division an advance appropriation for 1997 of \$16,264,000.

**Department of Justice
Radiation Exposure Compensation
Payments to the Radiation Exposure Compensation Trust Fund
Summary of Requirements
(Dollars in thousands)**

Adjustments to base:	1995 As Requested Amount	1995 Actual Amount	1996 Appropriation Anticipated Amount	1997 Advanced Appropriation Amount	1997 Estimate/a Amount	Increase/Decrease Amount
1996 President's request.....
1997 Advanced Appropriation.....						\$16,264
Program Changes (See Program Narrative for Details).....						13,736
1997 Estimate.....						30,000
Estimates by Trust activity						
Radiation Exposure Compensation Trust Fund	...	\$31,242	...	\$16,264	\$30,000	\$13,736

In 1995, the Civil Division received 915 claims and appeals and made 404 awards. In 1996, the Civil Division anticipates receiving 787 claims and appeals and making 295 awards; in 1997, the Division anticipates receiving 721 claims and appeals and making 263 awards. Based on current and projected trends in the number of applications filed and approved, the Civil Division estimates that payments in 1996 and 1997 will be \$25,642,000 and \$22,238,000, respectively. The balance of funds at the start of 1997 is expected to be approximately \$10,700,000. Thus, a \$30,000,000 appropriation in 1997 will be sufficient to cover anticipated payments in 1997. Moreover, the monies carried forward into 1998, including interest expected, should be sufficient to make projected payments in 1998 - \$20,379,000, based on 244 awards totaling \$20,100,000. The Civil Division requires an appropriation of \$30,000,000 for 1997 under the functional classification 050 - Defense to cover projected payments to claimants in 1997 and 1998.

Department of Justice
Radiation Exposure Compensation
Payments to the Radiation Exposure Compensation Trust Fund
Justification of Program and Performance
Activity Resource Summary
(Dollars in thousands)

	Perm. Est.	FY	Amount
Radiation Exposure Compensation Trust Fund			
1996 Appropriation Anticipated
1997 Base
1997 Estimate
Increase/Decrease	\$30,000

BASE PROGRAM DESCRIPTION: The Radiation Exposure Compensation Trust Fund (the Fund) was established to permit the payment of claims to individuals exposed to radiation as a result of atmospheric nuclear tests and uranium mining in accordance with the Radiation Exposure Compensation Act of 1990 (the Act). The Act was amended by the National Defense Authorization Act for FY 1991 to include payments to individuals who participated onsite in atmospheric nuclear tests. The Act provides for payments to individuals who developed specific diseases, based on the type of exposure, \$50,000 to individuals who have a family history of cancer, and \$75,000 to persons who participated onsite in atmospheric nuclear tests and \$100,000 to individuals employed as uranium miners.

The Act requires that any award be offset by the amount of previous payments that were based on the same injuries for which the claim under the Act was submitted. Examples of these offsets are disability and survivor's payments made by the Department of Veterans Affairs (VA), litigation awards and certain payments made by the Social Security Administration (SSA). Due to these offsets, the dollar value of awards will not always be in the amounts of \$50,000, \$75,000, or \$100,000. Moreover, the acceptance of payments under the Program is a final settlement of all claims against the United States. Since \$100,000 is the maximum program award, eligible claimants may prefer the financial advantages of lifetime annuities paid by the VA or SSA.

The Act authorizes a permanent, indefinite appropriation of "such sums as may be necessary to carry out its purposes." Amounts appropriated are to remain available until termination of the Fund in FY 2012. The date of enactment. To make payments to claimants, the Fund was appropriated \$30,000,000 in 1992 and \$170,750,000 in 1993. Although the Fund is available for disbursement only by the Attorney General, the program activities of the Department of Defense and the predecessors to the Department of Energy precipitated the need for the Act. Thus, the Department of Justice seeks appropriations on their behalf under functional classification 050 - Defense.

The Attorney General has delegated the administration of the Fund to the Civil Division's Radiation Exposure Compensation Program (the Program). Full-scale implementation of the Program began in April 1992. Through 1995, the Program received 5,272 claims, approved 2,377 awards totaling \$174,457,000 and denied 2,401 claims (32 were on appeal). The award amounts drive the payment amounts; however, in any given year, payment totals may differ from award totals as a result of the timing of the actual payments. Payments to claimants through 1995 totaled \$174,457,000. The Radiation Exposure Compensation Program workload, awards and payments are presented in the chart on page 8.

To estimate the Program's resource requirements in 1997, the Civil Division analyzed historical trends and the most up-to-date information with respect to receipts, terminations and approval rates. As the Program completes its fourth year of operation, it exhibits characteristics of a maturing Program: a declining number of new claims and a pending workload which is less meritorious and more complex to resolve.

During the first six months of the Program, new claims arrived at an average of 316 per month. Receipts dropped sharply in 1993, to a monthly average of 112, and declined further in 1995, to a monthly average of 69. Without statutory changes which add new classes of claimants or relax standards for approval, incoming receipts will continue to decline. While it is difficult to predict with precision how many new claims will be received in 1997, the Civil Division anticipates a monthly average of 58 receipts.

With authorized awards ranging from \$50,000 to \$100,000, trends in the composition of claims affect payments as significantly as trends in the number of receipts. The composition of the new claims received has changed appreciably. At the outset of the Program, "dominators" (valued at \$50,000) comprised the largest group of claimants. In 1995, miner claims (valued at \$100,000) dominated the mix, at 56 percent of the receipts. The percentage of new claims filed by miners is expected to grow to 60 percent by 1997. The impact of this shift is an increase in the value of the average award, from \$74,000 in 1996 to \$83,000 in 1997, which will place upward pressure on expected payments.

The increase in the average value of awards is counterbalanced to some extent by the decline in the number of claims and appeals processed. In 1995, the Program processed 963 claims and appeals, compared to 1,677 in 1994. By 1997, the Program projects that a total of 806 claims and appeals will be processed. A declining number of terminations is symptomatic of a workload which is more complex and requires more time-intensive to process, as relatively fewer claims are found to be meritorious without supplemental information or investigation.

Further, the percentage of terminations which result in approvals of awards is a key determinant of resource requirements. In 1995, the overall approval rate was 47 percent, a decline from the 51 percent approval rate experienced in 1994. Such a decline in approval rates is another indicator of a maturing Program, as the more worthy and straight-forward claims were received and processed primarily in the initial years of the Program. The Division is assuming a further decrease in the approval rate, to 42 percent in 1996 and 38 percent in 1997.

Taken together, these assumptions point to the Program's approval of 293 awards totaling \$24,550,000 in 1996 and 263 awards totaling \$21,775,000 in 1997. Payments in 1996 and 1997 are estimated to be \$25,442,000 and \$22,436,000, respectively. The balance funds at the start of 1996 is expected to be approximately \$10,700,000. The \$30,000,000 awarded in 1997 will be paid in 1998, and the balance of the 1997 award, \$10,700,000, will be paid in 1998. The monies carried forward into 1998, including interest expected, should be sufficient to make projected payments in 1998 -- \$20,379,000, based on 244 awards totaling \$20,100,000.

Radiation Exposure Compensation Program: Claims, Appeals and Dollar Value (in Thousands)

	1993 Actual		1994 Actual		1995 Actual		1996 Estimate		1997 Estimate		1998 Estimate	
	Number	Dollar Value	Number	Dollar Value	Number	Dollar Value	Number	Dollar Value	Number	Dollar Value	Number	Dollar Value
Downwinders												
Pending, Beginning of Year	691	\$34,550	303	\$15,150	139	\$6,950	89	\$4,450	87	\$4,350	73	\$3,650
Claims and Appeals Received	762	38,100	503	25,150	279	13,950	195	9,750	173	8,650	161	8,050
Claims and Appeals Approved *	521	26,020	320	16,000	175	8,750	89	4,450	82	4,100	78	3,900
Claims and Appeals Denied	639	31,450	347	17,350	154	7,700	108	5,400	105	5,250	105	5,250
Pending, End of Year	303	15,150	139	6,950	89	4,450	87	4,350	73	3,650	51	2,550
Onsite Participants												
Pending, Beginning of Year	186	13,950	116	8,700	75	5,425	71	5,325	72	5,400	57	4,275
Claims and Appeals Received	233	18,575	247	19,325	132	10,450	114	8,925	102	7,925	92	7,225
Claims and Appeals Approved *	52	3,575	34	3,750	22	1,450	20	1,500	17	1,275	12	1,100
Claims and Appeals Denied	271	20,325	234	17,350	116	8,700	93	6,925	101	7,575	109	8,175
Pending, End of Year	116	8,700	75	5,425	71	5,325	72	5,400	57	4,275	27	2,025
Uranium Miners												
Pending, Beginning of Year	680	\$5,000	371	37,100	339	35,900	355	36,500	349	34,900	298	29,800
Claims and Appeals Received	1,385	114,075	1,460	114,075	915	74,200	482	17,200	445	48,500	424	42,400
Claims and Appeals Approved *	541	21,450	521	21,450	404	21,100	255	24,550	243	21,725	244	20,100
Claims and Appeals Denied	1,410	162,725	939	72,625	511	53,100	327	31,650	312	26,775	339	27,325
Pending, End of Year	730	60,950	575	47,475	325	42,275	308	41,650	428	37,725	303	27,275
Total												
Pending, Beginning of Year	1,537	116,500	790	60,950	373	48,475	325	46,275	308	46,650	428	37,725
Claims and Appeals Received	1,585	114,075	1,460	114,075	915	74,200	482	17,200	445	48,500	424	42,400
Claims and Appeals Approved *	541	21,450	521	21,450	404	21,100	255	24,550	243	21,725	244	20,100
Claims and Appeals Denied	1,410	162,725	939	72,625	511	53,100	327	31,650	312	26,775	339	27,325
Pending, End of Year	730	60,950	575	47,475	325	42,275	308	41,650	428	37,725	303	27,275
Payments		\$57,249		\$60,604		\$31,242		\$25,642		\$22,238		\$20,379

* The "Dollar Value" of "Claims and Appeals Approved" 1993 - 1995 is net of offsets (e.g. Payments made by the Department of Veterans Affairs or the Social Security Administration).

Department of Justice
Radiation Exposure Compensation
Payments to the Radiation Exposure Compensation Trust Fund
Summary of Requirements by Grade and Object Class
(Dollars in thousands)

Object Class	1995 Actual		1996 Estimate		1997 Estimate		Increase/Decrease Positions & Markyears Amount
	Positions & Markyears	Amount	Positions & Markyears	Amount	Positions & Markyears	Amount	
11.1 Full-time permanent.....
11.3 Other than full-time permanent.....
11.5 Other personal compensation.....
11.8 Special personal services payments.....
Total.....
Reimbursable workyears:							
Other than permanent.....	(...)	...	(...)	...	(...)	...	(...)
Other objects:							
12 Personal benefits.....
21 Travel and transportation of persons.....
22 Transportation of things.....
23.1 GSA rent.....
23.3 Communications, utilities, and miscellaneous charges.....
24 Printing and reproduction.....
25 Other services.....
26 Supplies and materials.....
31 Equipment.....
41 Grants, Subsidies and Contributions.....
42 Insurance Claims & Indemnities.....
Total obligations.....	...	\$31,242	...	\$25,642	...	\$22,238	\$(3,404)
Unobligated balance, start of year.....	...	31,242	...	25,642	...	22,238	...
Unobligated balance, end of year.....	...	(66,413)	...	(35,171)	...	(9,529)	...
Total requirements.....	...	25,117	...	9,562	...	17,251	...
Balance of obligations to outlays:						30,000	...
Total obligations.....	...	31,242	...	25,642	...	22,238	...
Obligated balance, start-of-year.....	...	1,371	...	939	...	...	...
Obligated balance, end-of-year.....	...	(981)	...	...	...	...	...
Adjustments in expired accounts.....
Outlays.....	...	31,634	...	26,581	...	22,236	...

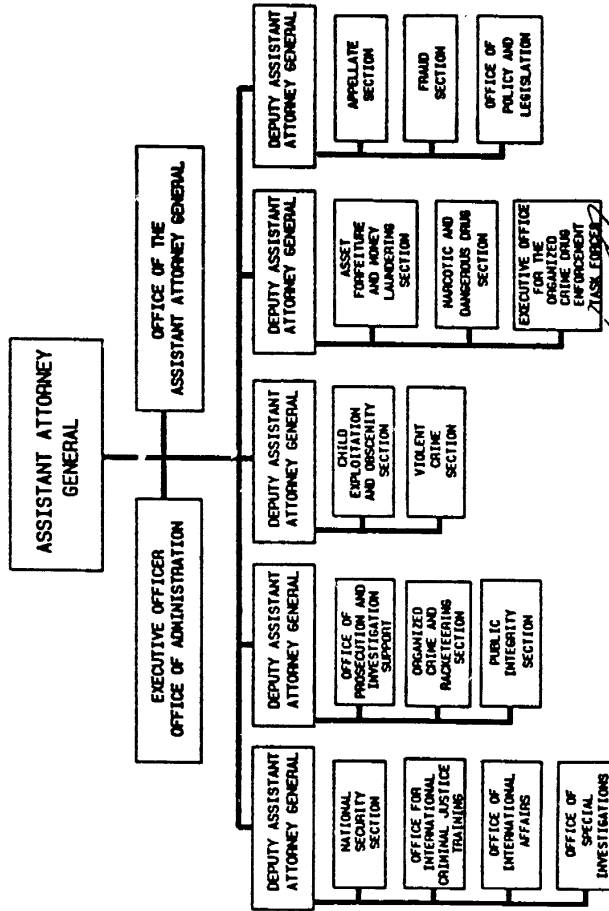
¹ The unobligated balance for the end of the year is understated by the earnings on investments.

Department of Justice
Interagency Law Enforcement
Interagency Crime and Drug Enforcement
Estimates for Fiscal Year 1997

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CRIMINAL DIVISION



Date: 12/12/94

Approved: *[Signature]*
JANET RENO
Attorney General

Interagency Law Enforcement
Interagency Crime and Drug Enforcement
Summary Statement
Fiscal Year 1997

The Interagency Crime and Drug Enforcement appropriation request for 1997 totals \$372,017,000. This funding will be used to support and maintain the Organized Crime Drug Enforcement Task Force (OCDETF) Program. A total of 3,808 reimbursable positions and 3,735 reimbursable workyears in eleven Federal agencies will be funded through this appropriation.

The OCDETF Program consists of a nationwide structure of thirteen regional Task Forces which utilize the combined resources and expertise of its member Federal agencies in cooperation with State and local investigators and prosecutors to target and destroy major narcotic trafficking and money laundering organizations. A multi-faceted attack on highly sophisticated drug cartels requires unique capabilities combined into a comprehensive and orchestrated investigation and prosecution. Four objectives continue to guide the selection and conduct of investigations:

- To target, investigate and prosecute individuals who organize, direct, finance, or are otherwise engaged in high-level illegal drug trafficking enterprises, including large-scale money laundering organizations;
- To promote a coordinated drug enforcement effort in each Task Force region and encourage maximum cooperation among all drug enforcement agencies;
- To work fully and effectively with State and local drug law enforcement agencies; and
- To make full use of financial investigative techniques, including tax law enforcement and forfeiture actions.

The 1997 request for the OCDETF Program consists of four budget activities incorporating the resources of eleven member agencies. Resource requests for 1997 for these activities are summarized below.

Law Enforcement

This activity provides resources for the investigations conducted by the thirteen regional Task Forces. The total resources requested in 1997 are 2,713 reimbursable positions (2,056 agents), 2,882 reimbursable workyears and \$278,550,000. The focus of Task Force investigations is on the organized criminal enterprise leadership involved in drug trafficking and the breakup of the infrastructure of organized criminal enterprises. This includes the seizure and forfeiture of assets of organized criminal enterprises involved in narcotics trafficking. This activity provides resources to reimburse law enforcement agencies in the Department of Justice, Department of the Treasury and the Department of Transportation for investigative activities related to the Task Forces.

Drug Intelligence

The drug intelligence request for the OCDETF Program in 1997 totals 176 positions (64 agents and 71 intelligence analysts), 176 workyears, and \$13,754,000. In 1993, Congress determined that consolidation of funding for Regional Drug Intelligence Squads (RDIS) under the auspices of the OCDETF Program would help achieve better integration of intelligence related to organized crime drug activities. The activity includes the resources to maintain squads in eight OCDETF Core Cities. The squads will gather and disseminate raw data for strategic, operational and tracking intelligence purposes and provide regional intelligence linkage to the National Drug Intelligence Center (NDIC) and member agencies' headquarters.

Prosecution

The prosecution activity request for the OCDETF Program in 1997 totals 907 reimbursable positions (499 attorneys), 865 reimbursable workyears and \$80,206,000. This funding is utilized for the U.S. Attorneys, the Criminal Division and the Tax Division for their investigative support and prosecutorial efforts toward Task Force cases. Litigation efforts are targeted selectively on the criminal leadership involved in drug trafficking and are intended to dissolve organized illicit enterprises. This includes activities designed to secure the seizure and forfeiture of the assets of these enterprises.

Administrative Support

The administrative support activity request for the OCDETF Program in 1997 totals 12 positions, 12 workyears, and \$1,507,000. This activity provides policy guidance, central coordination, and administrative support to the headquarters of the eleven member agencies and the thirteen regional task forces. The Executive Office for OCDETF has day-to-day responsibility for providing administrative support to the Task Forces and is responsible for financial management, records management, and maintenance of the Case Management Information System. This staff serves as the first-echelon point of contact for the Task Forces when Washington intervention or assistance is required. In addition, the Executive Office manages a State and Local Overtime program with \$5,300,000 derived from the Department of Justice Assets Forfeiture Fund.

Interagency Law Enforcement
Interagency Crime and Drug Enforcement
Justification of Proposed Changes in Appropriation Language

The 1997 budget estimates include proposed changes in the appropriation language listed and explained below. New language is underscored and deleted matter is enclosed in brackets.

Interagency Crime and Drug Enforcement

For expenses necessary for the detection, investigation, and prosecution of individuals involved in organized crime drug trafficking, including cooperative efforts with State and local law enforcement, \$372,017,000, of which \$60,000,000 shall remain available until expended.

Explanation of changes

Note -- A regular 1998 appropriation for this account had not been enacted at the time this budget was prepared. The 1998 amounts included in this budget are based on the levels provided in three continuing resolutions: P.L. 104-91, P.L. 104-92, and P.L. 104-99.

Intelligence Law Enforcement
Interagency Crime and Drug Enforcement
Changes of 1995
(Dollars in thousands)

Activity/Function	1995 President's Budget Request			1995 Congressional Action			1995 Appropriation		
	Pos.	NY	Amount	Pos.	NY	Amount	Pos.	NY	Amount
1. Law Enforcement									
Drug Enforcement Administration	975	982	\$98,751				975	982	\$91,872
Federal Bureau of Investigation	922	922	98,600				922	922	98,600
Immigration and Naturalization Service	107	107	10,696				107	107	10,696
U.S. Marshals Service	13	13	1,190				13	13	1,190
U.S. Customs Service	318	318	28,560				318	318	28,560
Bureau of Alcohol, Tobacco and Firearms	103	98	10,471				103	98	10,471
Internal Revenue Service	440	423	37,999				440	423	37,999
U.S. Coast Guard	9	9	878				9	9	878
Subtotal	2,887	2,850	264,815				2,887	2,850	264,815
2. Drug Intelligence									
Drug Enforcement Administration	25	25	2,269				25	25	2,269
Federal Bureau of Investigation	151	151	11,760				151	151	11,760
Subtotal	176	176	14,029				176	176	14,029
3. Prosecution									
U.S. Attorneys	887	870	76,002				887	870	76,002
Internal Division	14	12	1,501				14	12	1,501
Subtotal	907	888	77,503				907	888	77,503
4. Administrative Support									
Executive Office	13	13	1,563				13	13	1,563
TOTAL	3,983	3,927	378,473				3,983	3,927	378,473

Reprogramming: The reprogramming of budget authority represents the permanent effect of a FY 1995 reprogramming of \$183,000 from the U.S. Coast Guard to the U.S. Marshals Service. The resources will be used by the U.S. Marshals Service to cover the unfunded costs of law enforcement availability pay.

**Interagency Law Enforcement
Interagency Crime and Drug Enforcement
Summary of Requirements
(Dollars in thousands)**

Adjustments to base:	1986 Appropriation		1987 Base		1987 Estimate		Increase/Decrease		Perm.* Pos.	Work.* years	Amount
	Pos.	Amount	Pos.	Amount	Pos.	Amount	Pos.	Amount			
1986 President's request.....											
1986 Enacted.....	3,863	\$378,473							3,863	3,927	\$378,473
Mandatory Increases.....									3,808	3,735	359,843
1987 Base.....											12,174
									3,808	3,735	372,017
1987 Estimate.....									3,808	3,735	372,017
Estimates by budget activity											
	1986 Appropriation		1987 Base		1987 Estimate		Increase/Decrease				
	Pos.	Amount	Pos.	Amount	Pos.	Amount	Pos.	Amount			
1. Law Enforcement.....	2,713	2,982	2,713	2,982	2,713	2,982					
2. Drug Intelligence.....	176	176	176	13,754	176	13,754					
3. Prosecution.....	907	665	907	60,206	907	60,206					
4. Administrative Support.....	12	12	12	1,507	12	1,507					
Total	3,808	3,735	3,808	372,017	3,808	372,017					

*The positions and workyears reflected throughout the exhibits are reimbursable for the participating agencies.

**Interim Law Enforcement
Involving Crime and Drug Enforcement
Bureau of Criminal Investigation
(Children in Jeopardy)**

Estimate for Program	1995 in Extended			1995 Actual			1996 Appropriation			1997 Base			1997 Estimate			Increase/Decrease		
	Pos.	WY	Amount	Pos.	WY	Amount	Pos.	WY	Amount	Pos.	WY	Amount	Pos.	WY	Amount	Pos.	WY	Amount
Law Enforcement:																		
Drug Enforcement Administration	076	822	863,704	076	822	863,704	076	822	863,704	076	822	863,704	076	822	863,704	---	---	---
Drug Enforcement Administration	022	822	86,371	022	822	86,371	022	822	86,371	022	822	86,371	022	822	86,371	---	---	---
Immigration and Naturalization Service	111	111	10,563	111	111	10,563	102	102	10,563	102	102	10,563	102	102	10,563	---	---	---
United States Marshals Service	113	113	1,172	113	113	1,172	113	113	1,172	113	113	1,172	113	113	1,172	---	---	---
United States Customs Service	115	115	1,172	115	115	1,172	115	115	1,172	115	115	1,172	115	115	1,172	---	---	---
Bureau of Alcohol, Tobacco & Firearms	116	116	12,320	116	116	12,320	116	116	12,320	116	116	12,320	116	116	12,320	---	---	---
Internal Revenue Service	440	423	37,147	440	423	37,147	372	361	30,374	372	361	30,374	372	361	30,374	---	---	---
United States Coast Guard	0	0	0	0	0	0	372	361	30,374	372	361	30,374	372	361	30,374	---	---	---
- Subtotal	2,061	2,064	277,666	2,061	2,064	277,666	2,713	2,662	276,866	2,713	2,662	276,866	2,713	2,662	276,866	---	---	---
Drug Enforcement:																		
Drug Enforcement Administration	25	25	2,186	25	25	2,186	25	25	2,186	25	25	2,186	25	25	2,186	---	---	---
Federal Bureau of Investigation	181	181	1,620	181	181	1,620	181	181	1,620	181	181	1,620	181	181	1,620	---	---	---
National Drug Intelligence Center	176	176	18,566	176	176	18,566	176	176	18,566	176	176	18,566	176	176	18,566	---	---	---
- Subtotal	482	482	22,372	482	482	22,372	482	482	22,372	482	482	22,372	482	482	22,372	---	---	---
Prosecution:																		
United States Attorney	012	006	75,267	012	006	75,267	007	047	75,267	007	047	75,267	007	047	75,267	---	---	---
Criminal Division	0	0	756	0	0	756	0	0	756	0	0	756	0	0	756	---	---	---
Tax Division	14	14	1,253	14	14	1,253	14	14	1,253	14	14	1,253	14	14	1,253	---	---	---
- Subtotal	832	813	77,280	832	813	77,280	807	868	77,280	807	868	77,280	807	868	77,280	---	---	---
Administrative Support:																		
Executive Office	13	13	1,852	13	13	1,852	12	12	1,699	12	12	1,699	12	12	1,699	---	---	---
- Subtotal	4,912	3,846	374,843	4,912	3,846	374,843	3,806	3,756	369,843	3,806	3,756	369,843	3,806	3,756	369,843	---	---	---
Total																		
Reimbursable WY																		
- Subtotal																		
Outlines:																		
Outlines	017	017	007	017	017	007	017	017	007	017	017	007	017	017	007	---	---	---
Outlines	017	017	007	017	017	007	017	017	007	017	017	007	017	017	007	---	---	---
Other	36	36	36	36	36	36	36	36	36	36	36	36	36	36	36	---	---	---
- Subtotal	437	437	437	437	437	437	437	437	437	437	437	437	437	437	437	---	---	---
Total comparable workyears																		

Interagency Law Enforcement
Interagency Crime and Drug Enforcement
Program Performance Information
General Performance and Results Act Requirements

Mission: To mobilize the optimum combination of Federal, State, and local law enforcement and prosecution agencies and personnel to target major drug trafficking and related crime organizations (money laundering, etc.) to conduct complex long-term investigations of the activities of those organizations, and to successfully prosecute violators of criminal drug and related crime statutes.

Organizational Goals and Objectives:

The goal of the Organized Crime Drug Enforcement Task Force (OCDETF) Program is to dismantle or disrupt targeted drug trafficking and related crime organizations. To dismantle is to put the criminal organization out of existence or break it up to the extent that reconstruction of the same criminal organization is impossible. To disrupt is to cause significant interference in the conduct of business by the targeted criminal organization.

The objectives of the OCDETF Program are:

1. To target, investigate and prosecute individuals who organize, direct, finance, or are otherwise engaged in high-level illegal drug trafficking and related crime organizations; this includes providing intelligence to assist in targeting and investigating drug trafficking and related crimes and individuals who organize, direct, finance, and otherwise supervise and/or manage high-level illegal drug trafficking and related crime organizations;
2. To promote a coordinated drug enforcement effort within each region and between regions, and encourage the maximum cooperation and coordination among all Federal drug and drug related law enforcement agencies, and the United States Attorney Offices;
3. To work fully and effectively with State and local law enforcement and prosecution agencies; and
4. To make full use of financial investigative techniques, including tax law enforcement and forfeiture actions against assets obtained as a result of illegal drug trafficking or related crime activity.

**Interagency Law Enforcement
Interagency Crime and Drug Enforcement
Program Perform—see Information
(Dollars in thousands)**

ACTIVITY: LAW ENFORCEMENT

	Perm. Pos.	FTE	Amount
1996 Appropriation Anticipated	2,713	2,682	\$287,820
1997 Base	2,713	2,682	276,550
1997 Estimate	2,713	2,682	276,550
Increase/Decrease	...	...	...

BASE PROGRAM DESCRIPTION: The Law Enforcement program has a base of 2,713 positions, 2,682 FTE, and \$276,550,000.

The focus of OCDETF investigations is on the organized criminal enterprise leadership involved in drug trafficking and the breakup of the infrastructure of organized criminal enterprises. This includes the seizure and forfeiture of assets of organized criminal enterprises involved in narcotics trafficking. This activity provides resources to reimburse law enforcement agencies in the Department of Justice, Department of the Treasury and the Department of Transportation for investigative activities related to OCDETF.

The coordination of investigative and prosecutorial activities and the sharing of information are at the heart of the OCDETF approach. These principles reflect OCDETF's understanding of the drug trafficking problem as one demanding a national and international approach. This understanding includes the realization that localized programs will not suffice because most drug trafficking cases represent only one piece of a much larger puzzle. In an environment in which large-scale drug trafficking networks can involve multi-national suppliers, sophisticated money launderers, and multiple domestic distribution organizations, an approach based on coordinated activity and shared information is imperative.

Experience has made it clear that major drug trafficking and/or money laundering organizations routinely violate many different statutes in multiple jurisdictions. The ability to bring to bear expertise from agencies with a wide variety of skills and missions and to operate effectively across jurisdictional boundaries are key elements in the effectiveness of the OCDETF approach. This approach of cooperation and shared information has been nurtured in the content of a concerted effort to develop a consensual or cooperative relationship among participating agencies.

(Case Selection)

The criteria for selection of OCDETF cases are designed to assure that each case chosen is of a type and magnitude that will derive maximum benefit from utilization of the OCDETF approach and which merits commitment of interagency resources. Cases that require the expertise of more than one

investigative agency, that involve major drug trafficking and/or money laundering figures or organizations, and that involve activity in more than one jurisdiction are prime candidates for consideration as OCDETF cases. The effectiveness of OCDETF case management is materially enhanced by Assistant U.S. Attorney (AUSA) involvement at the early stages of the investigation.

Headquarters and Field Organization

The Executive Review Board (ERB) is chaired by the Assistant Attorney General of the Criminal Division and is composed of senior officials from agencies of the Departments of Treasury, Transportation, and Justice. The ERB provides oversight nationally by articulating policy, reviewing the allocation of resources, and recommending resolution of outstanding issues that cannot be settled in the field. The Washington Agency Representatives Group (WARG), comprised of high-level managers from each member agency, provides problem resolution research for the Board. An Executive Office is based at the Department of Justice (DOJ) headquarters in Washington. The Executive Office serves as the first-echelon point of contact for the OCDETF Program when Washington intervention or assistance is required.

The organization of each region has two principal structural components: the Advisory Committee and the Coordination Group. The Advisory Committee oversees OCDETF activities within each region, while the Coordination Group shares intelligence among the agencies, decides which cases are selected, coordinates the allocation of assets among cases, and facilitates cooperation among the agencies and between regions.

Each regional Advisory Committee is comprised of all the region's U.S. Attorneys, the Assistant U.S. Attorney (AUSA) Coordinator, the coordinators for each participating agency, and the senior regional representatives of those agencies. As the Senior Official responsible for OCDETF performance, the Core City U.S. Attorney chairs the committee and supervises the AUSA Coordinator.

The Coordination Group plays a central role in coordinating the OCDETF Program. Consisting of the AUSA Coordinator, coordinators from each participating Federal agency, and representatives from State or local law enforcement organizations, the Coordination Group evaluates and approves or disapproves cases proposed for OCDETF designation. The Coordination Group reviews the use of OCDETF resources, monitors the progress of all OCDETF investigations and resolves disputes, and facilitates cooperation between agencies and among regions.

In the non-core cities, District Coordination Groups review investigation selection, resource allocation, and the progress of OCDETF efforts. Each non-core city U.S. Attorney selects an AUSA to serve as Lead OCDETF Attorney for the district. This Lead OCDETF Attorney coordinates case selection with representatives of the participating agencies, is responsible for direct reporting tasks, and serves as liaison with the Core City OCDETF office.

State and Local Participation

From the program's inception, State and local law enforcement elements have worked closely with OCDETF. The "Guidelines" promote the coordinated involvement of State and local authorities in investigating, apprehending, and prosecuting major drug traffickers and their organizations. The increase in State and local participation significantly expands the available resources and broadens the choice of venue for prosecution.

Four features facilitate such coordination within the OCDETF Program. First, States and localities are eligible for reimbursement from the Federal Government for designated expenses incurred when they participate in OCDETF cases. Second, State and local enforcement officials can be deputized

as Federal officers under appropriate circumstances. Third, the OCDEF Program facilitates the cross designation of attorneys with designated Federal attorneys participating in State prosecutions and State attorneys in Federal prosecutions. Finally, the OCDEF Program contributes to the equitable sharing of assets forfeited by drug traffickers. Many asset seizures and forfeitures would not have happened without the support and teamwork afforded through the OCDEF Program.

Since the inception of the program, OCDEF has entered into approximately 9,600 agreements with State and local governments nationwide and more than 26,000 State and local officers have taken part in the OCDEF Program. Although these local agencies continue to pay the salaries of their investigators who work on OCDEF cases, they are assisted in meeting the costs of overtime, travel, and per diem expenses resulting from their participation.

In 1996, \$5.3 million in funding for this program is being provided through the Department of Justice Assets Forfeiture Fund (AFF). In addition, the Treasury Department is providing \$1 million from its asset forfeiture fund for State and local overtime requirements on OCDEF cases in which one of the three Treasury bureaus serves as the sponsoring agency.

Member Agencies

According to the OCDEF Guidelines, one of the program's main objectives is "...to promote a coordinated drug enforcement effort in each region, and to encourage maximum cooperation among all drug enforcement agencies..." Throughout its years of operation, the OCDEF Program has pursued this objective.

Many of the OCDEF investigations are so complex and labor intensive that they could not have been conducted without cooperation among the Program agencies. Most, if not all, of these investigations require a mix of skills, experience, and jurisdiction possessed by no single agency. Each of the Federal OCDEF members brings its own special skills and methods to the program.

The OCDEF exemplifies the model for multi-agency law enforcement cooperative efforts, working with senior Federal prosecutors and often involve State and local authorities. The OCDEF can (1) utilize the range of Federal investigative and prosecutive tools, as well as associated seizure and forfeiture laws; (2) facilitate cooperation among all levels of government; and (3) provide a means of combining skills and resources to achieve the greatest effects against drug traffickers. Use of the OCDEF model can help bridge the gaps in enforcement between those efforts that are uniquely Federal and those that are successfully undertaken by State and local authorities. In this way, all levels of drug trafficking -- from the international suppliers through the transportation and financial service providers, to the wholesalers, to the street corner retailers -- can be targeted by law enforcement.

(The Department of Justice)

Participating DOJ agencies include the Drug Enforcement Administration (DEA), the Federal Bureau of Investigation (FBI), the Immigration and Naturalization Service (INS), the U.S. Attorneys' offices, and the U.S. Marshals Service. Support for the program is also provided by the Department's Tax and Criminal Divisions.

The effective use of the expertise of these components is an indispensable tool in the OCDETF Program. Thus, DEA's narcotics investigative experience, knowledge of drug distribution organizations, and close working relationship with State and local authorities make this agency essential to every OCDETF region. The same holds true for the FBI which brings to the program the ability to gather and analyze intelligence data and to deploy and manage sophisticated electronic surveillance and undercover operations.

The Immigration and Naturalization Service (INS) has statutory responsibility for the admission, control, and removal of aliens. Pursuant to this authority, INS identifies and screens high-risk persons entering the United States to curtail alien involvement in illicit narcotics enterprises.

The U.S. Marshall Service is charged with safeguarding the integrity of the judicial process by preventing jury tampering and disruption in the courtroom. In addition to managing seized assets and those assets forfeited by drug traffickers, the Marshall Service also has a major responsibility in bringing OCDETF fugitives to justice.

(The Department of Transportation)

The Department of Transportation participates in the OCDETF Program through the U.S. Coast Guard. The Coast Guard has assumed a variety of functions that meld with the work of the other OCDETF agencies. Coast Guard coordinators participate in case selection, analysis, and review; serve as liaison with the military services; and provide valuable intelligence and guidance on cases with maritime connections.

(The Department of the Treasury)

Participating Department of the Treasury agencies include the Bureau of Alcohol, Tobacco and Firearms (BATF); the Internal Revenue Service (IRS); and the U.S. Customs Service (USCS). BATF's special role in enforcing Federal firearms, explosives, and arson laws gives the program access to special expertise in dealing with drug traffickers who are well armed and increasingly prone to violence. BATF's jurisdiction and capabilities make it a well-suited partner to other agencies participating in the war against illegal drugs.

The IRS actively participates in OCDETF cases through its investigation of tax-related violations of the Internal Revenue Code. The IRS's Criminal Investigation Division also investigates money laundering operations, enforces major provisions of the Bank Secrecy Act, and assists in asset seizure and forfeiture actions.

Along with the IRS, the USCS has been especially effective in conducting financial investigations. Through the analysis of computer data collected under the Bank Secrecy Act, USCS identifies drug traffickers and money launderers for OCDETF investigations. Customs' capacity to track the international movement of cash, persons, and commodities complements the drug trafficking investigations of other OCDETF agencies. Customs is also a major interagency. Its mission includes the interdiction of drug shipments through all ports of entry into the United States.

ACTIVITY: DRUG INTELLIGENCE

	Perm. Pos.	FTE	Amount
1986 Appropriation Anticipated			
1987 Base	176	176	\$13,322
1987 Estimate	176	176	13,754
Increase/Decrease	...	...	...

BASE PROGRAM DESCRIPTION: The Drug Intelligence program has a base of 176 positions, 176 FTE, and \$13,754,000.

In 1983, Congress first funded the Regional Drug Intelligence Squads (RDISs), through the OCOETF appropriation. The mission of the RDIS is to establish multi-agency squads first in five High Intensity Drug Trafficking Areas, and as soon as possible in all thirteen OCOETF core cities. These squads gather, analyze, and disseminate raw and processed data for strategic, tactical and operational intelligence support of OCOETF investigations and/or potential OCOETF investigations. They also provide the regional intelligence linkage to the National Drug Intelligence Center (NDIC) and to respective agency headquarters.

Participants in the RDIS program include State and local law enforcement agencies, the host agency Federal Bureau of Investigation (FBI), Drug Enforcement Administration (DEA), U.S. Customs Service (USCS), Internal Revenue Service (IRS), Immigration and Naturalization Service (INS), Bureau of Alcohol, Tobacco and Firearms (BATF), the United States Marshals Service (USMS), the Department of Defense, and the National Guard Bureau. Squads have been established in the following cities: Los Angeles, New York City, Washington, D.C., Houston, Miami, Phoenix, Chicago and Atlanta.

The Department of Justice's Office of Investigative Agency Policy (OIAP) is in the process of refining the mission, goals, objectives, and implementation plans for the RDISs and the NDIC within the context of the total intelligence program.

ACTIVITY: PROSECUTION

	Perm. Pos.	FTE	Amount
1986 Appropriation Anticipated			
1987 Base	907	865	\$78,066
1987 Estimate	907	865	81,565
Increase/Decrease	...	...	...

BASE PROGRAM DESCRIPTION: The Prosecution program has a base of 907 positions, 865 FTE, and \$80,206,000.

This funding is used to reimburse the Department of Justice U.S. Attorneys, Criminal Division, and Tax Division for their investigative support and prosecutorial efforts towards OCOETF cases. Litigation efforts are targeted selectively on the criminal leadership involved in drug trafficking and are

intended to dissolve organized illicit enterprises. This includes activities designed to secure the seizure and forfeiture of the assets of these enterprises. A fundamental purpose of the prosecution effort is to apply limited Federal prosecutive resources against those targets where successful prosecution can have the greatest and most lasting effect on the nation's drug abuse problem.

The centralized and organized nature of the drug trade mandates that the Federal law enforcement and prosecution establishment incorporate successful experiences in combating organized crime. It also extends the successful OCDETF concept of actively targeting and pursuing the highest level drug offenders.

The prosecution activity employs several tactics that are particularly well-suited for use against priority targets. Among them are proven devices, such as Continuing Criminal Enterprise (CCE) and Racketeering Influenced Criminal Organization (RICO) cases; increased concentration of financial investigations; expanded use of electronic surveillance and undercover operations; and vigorous enforcement of asset forfeiture statutes. Utilization of these investigative/prosecutive tools, supplemented by the enhanced sentencing guidelines, has been instrumental to the success of the OCDETF effort.

(The United States Attorneys)

Prosecution in each of the 13 regions is conducted by attorneys and support staff coordinated by U.S. Attorneys. The thrust of the OCDETF Prosecution program is to encourage the maximum level of cooperation at the district, regional, national, and international level by having the U.S. Attorneys coordinate the activities of the agencies participating in the program.

The OCDETF Program implements a major Administration initiative to combat organized crime and drug trafficking. The range and nature of the investigative techniques requires continuing and intensive participation by Assistant U.S. Attorneys in the development of investigative strategy, and in the provision of continuing counsel to ensure that the evidence growing out of investigations will be complete, conclusive, proper and admissible.

OCDETF prosecutions benefit from the program's broad, thorough, and careful approaches. The OCDETF Guidelines lay down distinctive principles for OCDETF prosecutions including: an increased emphasis on forfeitures, either in civil actions, or under the criminal forfeiture provisions of the law; the use of any of a wide range of statutes, not just drug statutes, to put drug trafficking organizations out of business; and a concerted coordination of prosecutorial activities among various jurisdictions in order to achieve maximum impact on entire organizations.

One of the cornerstones principles of the OCDETF Program is early attorney involvement in the development of case strategy. The OCDETF Program affords prosecutors the time they need to participate in the development of this strategy and to provide the necessary legal services and counsel that investigators require. They are not expected to rush cases to completion, but rather to move deliberately toward successful and comprehensive conclusions. While OCDETF attorneys carry a caseload of fewer cases, theirs are typically more intricate and long-term than those of their non-OCDETF counterparts.

(Criminal Division)

The OCDETF initiative against organized drug traffickers has increased the demands on the Criminal Division to provide certain types of prosecutorial

assistance and to participate directly in the development of particular cases. For example, many OCDETF investigations depend upon electronic surveillance to obtain evidence on the activities of wrongdoers. By law (28 USC 2516), all electronic surveillance must be authorized by the Attorney General or a designated Assistant Attorney General. Before authorization, all Title III applications are reviewed by the Criminal Division Office of Enforcement Operations (OEO), and a recommendation is made to the Assistant Attorney General. Then, following authorization of either a wiretap or the wireless interception of communications, reports must be collected and reviewed on the fruits of the surveillance. In addition to employing electronic surveillance techniques, many OCDETF prosecutions rely on witnesses whose personal safety is endangered by criminal elements. A prosecutor seeking to arrange for the protection of a witness, e.g., by providing guards, by relocating the witness out of the danger area, by securing a new identity for the witness, etc., must submit a request to the Criminal Division for review as to the qualification of the witness for the program and a determination as to the level of protection to be afforded to the witness.

(Tax Division)

The Tax Division provides nationwide review and coordination of all tax charges in OCDETF cases. An experienced Tax Division attorney is assigned as a liaison official to each of the 13 OCDETF regions. These attorneys work closely with each Core City AUSA and IRS coordinator and the AUSAs and IRS Special Agents in the investigation of tax crimes. They provide the local case agents and attorneys with advice, guidance and expertise in developing and handling the tax investigations.

In addition to assisting in individual case development, Tax Division liaison attorneys participate in training new Assistant United States Attorneys and OCDETF investigators in tax matters. They attend conferences in each region and participate in panel discussions on narcotics/tax prosecutions. The liaison attorneys communicate frequently with regional IRS coordinators to keep abreast of new developments which might be of particular importance not only to the Tax Division but to other drug task force components. The Tax Division has also maintained a clearinghouse of legal and investigative materials and information, and coordinates the dissemination of this information to regional task force personnel.

ACTIVITY: ADMINISTRATIVE SUPPORT

	Perm. Pos.	FTE	Amount
1996 Appropriation Anticipated	12	12	\$1,469
1997 Base	12	12	1,507
1997 Estimate	12	12	1,507
Increase/Decrease	...	...	...

BASE PROGRAM DESCRIPTION: The Administrative Support program has a base of 12 positions, 12 FTE, and \$1,507,000.

The Executive Office for OCDETF, an element of the Criminal Division, provides policy guidance, central coordination, and administrative support to the headquarters of the member agencies and the 13 regional task forces. The Executive Office has day-to-day responsibility for providing administrative

support to the regions and is responsible for financial management oversight, records management, administering the State and local overtime program, and maintenance of the Management Information System. This staff serves as the first-echelon point of contact for the regions when Washington intervention or assistance is required.

In addition to comprehensive activities involved in the maintenance of the Management Information System, financial management oversight requirements and other recurring administrative responsibilities, the Executive Office prepares a wide variety of reports of the OCDETF Program and responds to all information requests and issue/problem resolution requirements, and prepares special analyses and performs liaison activities with affected agencies in accordance with required tasking from the Attorney General, Deputy Attorney General, Assistant Attorney General of the Criminal Division, Deputy Assistant Attorney General, (Harold) of the Criminal Division, member agencies, and the United States Attorneys. The Executive Office conducts Core City and Non-Core City site visits and inspections to discuss OCDETF Program issues and activities, solicit feedback on issues and concerns of regional committees, attorneys, and investigative agents.

The OCDETF Management Information System is designed to meet the management needs of the Attorney General, Deputy Attorney General, Assistant Attorney General of the Criminal Division, U.S. Attorneys, the Executive Review Board, the Member Agency Headquarters and the regions. In addition, the Information system provides the data necessary to evaluate OCDETF Program performance which is used in reports to the Attorney General, the President, Congress, and the public. The Case Monitoring System consists of three standard reports: The Investigation Initiation; the Indictment; and the Disposition/Sentencing. Other monitoring reports include Investigations/Prosecution Status Reports and various activity reports.

In anticipation of the Presidential requirements to improve performance in all Federal government operations, the OCDETF Washington Agency Representatives Group (WARG) commenced a major Performance Measurement refinement process in June, 1993. The WARG committee examined past practices and concluded that while major accomplishments have occurred consistently, refinements to the data gathering system were required. After extensive research and negotiation, the WARG reached consensus on a design which will provide data concerning the attainment of the goal of the OCDETF Program. This design is currently being field tested. At the same time, the new OCDETF Performance Measures will meet the Governmental Performance and Results Act (GPRA) requirements as well as other initiatives designed to improve governmental performance.

PERFORMANCE MEASUREMENT TABLE: PRESENTED BY GENERAL GOAL

GENERAL GOAL: 1. Target, investigate and prosecute individuals who organize, direct, finance, or are otherwise engaged in high-level illegal drug trafficking and related drug crime organizations.									
PERFORMANCE INDICATOR INFORMATION			PERFORMANCE TARGETS AND ACTUAL RESULTS						
Type of Indicator	Performance Indicators	1993 Actual	1994 Actual	Target	1995 Estimate	1996 Target	1997 Target		
Input	1. Agent FTE (Excludes RDIS agents).	2,279	2,203	2,140	2,140	2,027	2,027		
	2. AUSA FTE (Excludes Criminal and Tax Division Attorneys).	508	501	489	489	463	463		
	3. RDISs FTE (Agent and Support).	183	179	176	176	176	176		
	4. Drug Law Enforcement Decision Unit funding (dollars in millions).	\$287.9	\$287.2	\$277.5	\$277.5	\$267.8	\$276.6		
	5. Intelligence Decision Unit Funding (Regional Drug Intelligence Squads (RDIS) (Dollars in millions).	\$15.7	\$13.9	\$18.6	\$18.6	\$13.3	\$13.8		
	6. Prosecution Decision Unit Funding (Dollars in millions).	\$80.1	\$79.7	\$77.3	\$77.3	\$77.2	\$80.2		
Output/Activity	7. Number of International Core Organizations Identified. <i>II</i>	N.A.	N.A.	N.A.	N.A.	N.A.	N.A.		
	8. Number of Domestic Core Organizations Identified. <i>II</i>	N.A.	N.A.	N.A.	N.A.	N.A.	N.A.		
	9. Number of Secondary Organizations Identified. <i>II</i>	N.A.	N.A.	N.A.	N.A.	N.A.	N.A.		
	10. Number of Investigations Initiated.	855	722	691	629 <i>II</i>	651	651		
	11. Electronic Surveillance Applications Processed.	987	1,061	1,100	1,064	1,300	1,300		
	12. Number of Investigations Closed During the Year. <i>II</i>	N.A.	N.A.	N.A.	N.A.	N.A.	N.A.		
Intermediate Outcome	13. Number of Indictments/Informations Received During the Year.	2,510	1,861	1,781	1,781	1,677	1,677		
	14. Number of Defendants Charged.	7,392	6,055	5,795	5,795	5,456	5,456		

GENERAL GOAL: 1. Target, investigate and prosecute individuals who organize, direct, finance, or are otherwise engaged in high-level illegal drug trafficking and related drug crime organizations.							
PERFORMANCE INDICATOR INFORMATION		PERFORMANCE TARGETS AND ACTUAL RESULTS					
Type of Indicator	Performance Indicators	1993 Actual	1994 Actual	1995 Target	1995 Estimate	1996 Target	1997 Target
End Outcome							
	15. Number of Investigations Closed During the Year in Which the Targeted Organization was Dismissed. <u>11</u>	N.A.	N.A.	N.A.	21	N.A.	N.A.
	16. Number of Investigations Closed During the Year in Which the Targeted Organization was Disrupted. <u>11</u>	N.A.	N.A.	N.A.	N.A.	N.A.	N.A.
	17. Convictions.	6,363	4,576	4,379	4,379	4,123	4,123
	18. Percentage of Defendants Pled/Found Guilty.	85.5%	87.8%	...	83.6%	...	...
	19. Sentences Imposed on Defendants Convicted:						
	- Confined.	5,827	4,462	...	2,106	...	...
	- Probation Only.	526	381	...	138	...	...
	- Fined Only.	22	22	...	...	...	...
	- Convicted but No Sentencing Data	76	90	...	7	...	...
	20. Not Prison Terms Imposed on Defendants Sentenced to Confinement:						
	Term						
	1 Month to 1 Year, 11 Months.	893 15.3	627 14.1	...	...	...	...
	2 Years to 4 Years, 11 Months.	1,387 23.8	1,023 22.9	...	315 15.0	...	...
	5 Years to 9 Years, 11 Months.	1,527 26.3	1,231 27.6	...	544 25.8	...	...
	10 Years to 14 Years, 11 Months.	987 16.9	799 17.9	...	583 27.7	...	...
	15 Years to 19 Years, 11 Months.	422 7.2	262 5.9	...	320 15.2	...	...
	20 Years to 24 Years, 11 Months.	240 4.1	189 4.2	...	128 6.1	...	...
	25 Years to 44 Years, 11 Months.	225 3.9	165 3.7	...	97 4.6	...	...
	45 Years or More.	146 2.5	166 3.7	...	87 4.1	...	...
	Total	5,827 100%	4,462 100%	...	2,106 100%	...	...
Productivity/ Efficiency	None Proposed at this time.						

GENERAL GOAL: 1. Target, investigate and prosecute individuals who organize, direct, finance, or are otherwise engaged in high-level illegal drug trafficking and related drug crime organizations.						
PERFORMANCE INDICATOR INFORMATION		PERFORMANCE TARGETS AND ACTUAL RESULTS				
Type of Indicator	Performance Indicators	1993 Actual	1994 Actual	1995 Target	1996 Estimate	1997 Target
B. Factors Affecting FY 95 Program Performance. Describe reasons for any significant differences between target levels of performance and estimates of actual performance, whether positive or negative.						
EXTERNAL FACTORS:						
<p>In response to the Administration's streamlining initiatives, the OCDETF Program has experienced an approximate 12% reduction in staffing since FY 1993. OCDETF is comprised of a nationwide structure of thirteen Regional Task Forces staffed by eight permanent Federal investigatory agencies, sixty-four United States Attorney Offices, other Federal agencies and offices and numerous State and local law enforcement and prosecution agencies. OCDETF is a federation of these participating entities which function as a team and whose efforts toward the accomplishment of the OCDETF mission are interdependent. Core city United States Attorneys, non-core United States Attorneys, Assistant United States Attorney Coordinators, Agency Coordinators, Lead Task Force Attorneys, and agency supervisory personnel are members of a management team each of whom are responsible for the successful operation of the OCDETF Program. As team members, prosecutors have responsibilities in connection with an investigation just as investigators have responsibilities in connection with the prosecution of these complex cases. Each team member has responsibility for case direction, oversight, coordination, and guidance. In the same context, the investigative and prosecution portions of an OCDETF case are inextricably intertwined.</p> <p>Historically, participating agencies have supported the OCDETF Program by dedicating resources at levels over and above the amount for which they will be reimbursed. In a time of declining budgets, agencies may be forced to discontinue this practice. Should that happen, OCDETF investigative activities could be reduced by as much as 15 percent.</p> <p>Maintaining an adequate number of Assistant United States Attorneys in the OCDETF Program is critical to ensuring successful prosecutions. If the attorney-to-agent ratio is altered, performance in terms of number of investigations, number of indictments, number of successful prosecutions, and the number of successful responses to appeals will decrease.</p>						
C. Factors Affecting Selection of FY 96 and 97 Targets. Provide information on the selection of target levels of performance, where necessary.						

PERFORMANCE MEASUREMENT TABLE: PRESENTED BY GENERAL GOAL

GENERAL GOAL: 2. Promote a coordinated drug enforcement effort in each Task Force region, between regions and encourage the maximum cooperation and coordination among all Federal drug a. l drug related law enforcement agencies, and the United States Attorney Offices.										
PERFORMANCE INDICATOR INFORMATION			PERFORMANCE TARGETS AND ACTUAL RESULTS							
Type of Indicator	Performance Indicators	1993 Actual	1994 Actual	Target	1995 Estimate	1996 Target	1997 Target			
Input	1. Member Agency Amount and Shares (\$ of the OCEDEP Budget (dollars in millions)).	Actual \$	Actual \$	Actual \$	Actual \$	Actual \$	Actual \$	Δmt. \$	Δmt. \$	Δmt. \$
	DEA.....	\$97.1 25.2	\$96.9 25.4	\$93.7 25.0	\$93.7 25.0	\$91.9 25.5	\$94.7 25.5			
	FBI.....	99.3 25.8	99.1 25.9	95.5 25.5	95.5 25.5	92.2 25.6	95.1 25.6			
	RDIS.....	15.7 4.1	13.9 3.6	18.6 5.0	18.6 5.0	13.3 3.7	13.8 3.7			
	INS.....	11.0 2.8	10.9 2.9	10.6 2.8	10.6 2.8	10.0 2.8	10.4 2.8			
	USMS.....	1.2 0.3	1.2 0.3	1.2 0.3	1.4 0.3	1.3 0.4	1.4 0.4			
	Customs.....	29.2 7.6	29.2 7.6	28.1 7.5	28.1 7.5	26.7 7.4	27.6 7.4			
	BATF.....	10.7 2.8	10.6 2.8	10.3 2.8	10.3 2.8	9.8 2.7	10.1 2.7			
	IRS.....	38.5 10.0	38.5 10.1	37.1 9.9	37.1 9.9	35.3 9.8	36.6 9.8			
	Coast Guard.....	0.9 0.2	0.7 0.2	0.9 0.2	0.7 0.2	0.6 0.2	0.6 0.2			
	USA's.....	78.1 20.3	77.7 20.3	75.3 20.1	75.3 20.1	75.3 21.0	78.2 21.0			
	Crim. Div.....	0.7 0.2	0.8 0.2	0.8 0.2	0.8 0.2	0.7 0.2	0.7 0.2			
	Tax Div.....	1.2 0.3	1.2 0.3	1.3 0.3	1.3 0.3	1.2 0.3	1.3 0.3			
	Exec. Office.....	1.4 0.4	1.4 0.4	1.5 0.4	1.5 0.4	1.5 0.4	1.5 0.4			
	Total.....	385.0 100%	382.1 100%	374.9 100%	374.9 100%	359.8 100%	372.0 100%			
	2. Number of Washington Agency Representative Group Meetings held during the Fiscal Year.	6	9	12	9	9	12			
	3. Number of Regional/District Drug Enforcement Coordination Group Meetings	135	135	135	135	135	135			
Output/Activity	None reflected at this time.									

GENERAL GOAL: 2. Promote a coordinated drug enforcement effort in each Task Force region, between regions and encourage the maximum cooperation and coordination among all Federal drug and drug related law enforcement agencies, and the United States Attorney Offices.										
PERFORMANCE INDICATOR INFORMATION			PERFORMANCE TARGETS AND ACTUAL RESULTS							
Type of Indicator	Performance Indicators	1993 Actual	1994 Actual	Target	1995 Estimate	1996 Target	1997 Target			
Intermediate Outcomes	4. Agency Participation in Investigations Initiated.*									
	Agency									
	- DEA	635	566	573	504					
	- FBI	333	287	264	278					
	- IRS	511	420	409	328					
	- Customs	344	243	238	225					
	- BATF	301	249	194	204					
	- Coast Guard	29	18	18	8					
	- INS	260	238	230	165					
	5. Agency Participation in Investigations Resulting in Charges.**									
End Outcome	Agency									
	- FBI	1,042	766	705	603					
	- IRS	972	685	668	538					
	- Customs	586	405	396	306					
	- DEA	1,649	1,219	1,192	914					
	- BATF	907	600	468	476					
	- Coast Guard	41	41	41	21					
	- INS	389	285	275	228					
	6. Number of Member Agencies Deducting Supplemental Resources from their Direct Appropriations.	7	7	7	7	7	7			

GENERAL GOAL: 2. Promote a coordinated drug enforcement effort in each Task Force region, between regions and across the maximum cooperation and coordination among all Federal drug and drug related law enforcement agencies, and the United States Attorney Offices.							
PERFORMANCE INDICATOR INFORMATION		PERFORMANCE TARGETS AND ACTUAL RESULTS					
Type of Indicator	Performance Indicators	1993 Actual	1994 Actual	1995 Target	1995 Estimate	1996 Target	1997 Target
Productivity/ Efficiency	None provided at this time. 1/1995 target based on 1994 baseline in relationship to 1995 FTE level for each member agency. 2/Estimate represents actual count as of 3-11-96.						

GENERAL GOAL: 2. Promote a coordinated drug enforcement effort in each Task Force region, between regions and encourage the maximum cooperation and coordination among all Federal drug and drug related law enforcement agencies, and the United States Attorney Offices.						
PERFORMANCE INDICATOR INFORMATION			PERFORMANCE TARGETS AND ACTUAL RESULTS			
Type of Indicator	Performance Indicators	1993 Actual	1994 Actual	1995 Target	1996 Estimate	1997 Target
<p>A. Definitions of Terms or Explanations for Indicators: Clari : potentially confusing terms. Assume a low level of familiarity with your program.</p> <p>The OCDETF Approach</p> <p>The management hierarchy of the OCDETF Program consists of members of the Office of the Assistant Attorney General - Criminal Division, the Executive Office for OCDETF, the OCDETF Washington Agency Representatives Group (WARG), the OCDETF Core City United States Attorneys, and members of the OCDETF Coordination Groups.</p> <p>Overnight primarily is provided by the Washington Agency Representatives Group (WARG), chaired by a Deputy Assistant Attorney General and composed of senior managers from each member agency. The WARG provides regular coordination and special multi-regional operational coordination, shares information on agency program management, and prepares issue and policy papers. The Executive Office for the OCDETF Task Forces handles administrative functions and serves as the first-echelon point of contact when Washington intervention or assistance is required.</p> <p>The OCDETF approach holds that the coordination of covert investigations, the execution of search and arrest warrants, witness and plea negotiations, and prosecutions will only be successful when implemented consistently and continuously. The conduct of Task Force cases is the purpose of the Coordination Group conferences. At these meetings the progress of each investigation or case is considered and potential conflicts of strategy, tactics, and timing are ironed out. Each Coordinator comes to the conference with complete knowledge of agency positions and plans in each Task Force investigation as well as information on potential Task Force cases. They have prepared to update their agencies on other agencies' immediate plans and on Task Force progress.</p> <p>The coordination expected of this group is not limited by the locale of an investigation. Through their individual agency channels and through Task Force channels, Coordinators will pass on and acquire case information, exchanging it with those who need to know throughout the United States and, often, beyond.</p> <p>The Coordination Group decides, as well, who is to perform liaison with Federal, State, or Local entities not represented in the Task Force. Although the non-core city districts do most of their own coordinating, the core city Coordinators stand ready to perform their services throughout their respective regions. District operations are likely to be as big and complex as core city operations, with strong State and local participation, and equally important targets.</p> <p>The direction of a complex, multi-agency investigation carried on by skilled Federal and State/Local agents need not be dictated by any one agency. Although the agency that first recommended the investigation generally plays the primary role in its management, the Task Forces draw upon the experience of all the participants. Task Forces are not limited to making a case based on one agency's jurisdictions. Rather, they have the opportunity to use the strongest resources available to participating agencies. The data base from which information can be obtained and the agencies' ability to use it is vastly expanded. The various Federal information systems, as well as State and local data bases, are available and easily accessed. More personnel strength and broader expertise in highly technical areas are available.</p>						

GENERAL GOAL: 2. Promote a coordinated drug enforcement effort in each Task Force region, between regions and encourage the maximum cooperation and coordination among all Federal drug and drug related law enforcement agencies, and the United States Attorney Offices.						
PERFORMANCE INDICATOR INFORMATION		PERFORMANCE TARGETS AND ACTUAL RESULTS				
Type of Indicator	Performance Indicators	1993 Actual	1994 Actual	1995 Estimate	1996 Target	1997 Target
	<p>The Coordination Group also provides a framework within which investigations can be simultaneously pursued in several parts of the country. Each Task Force Coordination Group has points of contact with its counterpart in the other Task Forces. Through national meetings, each agency's Coordinators have gotten to know one another. Thus, phone calls from one Task Force Coordinator to another are not between strangers, but between persons who view themselves as members of the same national priority program.</p> <p>Agency Participation in Investigations</p> <p>An OCDETF case is, by definition, a multi-agency case. Initial agency resource allocations may shift as an investigation progresses.</p> <p>The Program's history of agency resource assignments (1983 - September 30, 1995) reflected DEA involvement in 84.0 percent (6,199) of all Task Force investigations; IRS involvement in 65.8 percent (4,827); FBI in 47.1 percent (3,456); Customs in 42.9 percent (3,048); BATF in 39.4 percent (2,890); and INS, only in the Task Force since FY 1988, in 22.9 percent (1,682). The U.S. Attorneys and the U.S. Marshals Service are assumed to be involved in all OCDETF case investigations.</p> <p>Explanation of indicators on charts</p> <p>*The number of investigations in which this agency is expected to participate at the time the investigations were initiated. U.S. Marshals Service and U.S. Attorneys were expected to participate in all cases.</p> <p>The number of investigations initiated by the Task Forces. The percentages show the frequency of anticipated involvement for each type of agency. More than one agency is involved in all cases.</p> <p>**The number of indictments and informations in which this agency participated in either the investigation or prosecution. U.S. Marshals Service and U.S. Attorneys are assumed to be involved in all cases.</p> <p>The number of indictments and informations returned in Task Force cases. The percentages show the frequency of participation for each agency. More than one agency is involved in all cases.</p>					
B. Factors Affecting FY 95 Program Performance. Describe reasons for any significant differences between target levels of performance and estimates of actual performance, whether positive or negative.						
C. Factors Affecting Selection of FY 96 and 97 Targets. Provide information on the selection of target levels of performance, where necessary.						

PERFORMANCE MEASUREMENT TABLE: PRESENTED BY GENERAL GOAL

GENERAL GOAL: 3. Work fully and effectively with State and local drug law enforcement and prosecution agencies.									
PERFORMANCE INDICATOR INFORMATION		PERFORMANCE TARGETS AND ACTUAL RESULTS							
Type of Indicator	Performance Indicators	1993 Actual	1994 Actual	Target	1995 Estimate	1996 Target	1997 Target		
Input	1. State and Local Overtime Funding.	\$5.3 million	\$5.3 million	\$5.3 million	\$5.1 million	\$5.3 million	\$5.3 million		
	2. Number of State and Local Agencies Participating.	748	702	...	798	800	800		
	3. Number of State and Local Officers Assigned to Investigations.	6,337	6,391	...	5,863	6,000	6,000		
	4. Total Workhours Provided by State and Local Officers in Support of OCDETF Investigations.	1,367,243	1,305,274	...	1,000,000	1,350,000	1,350,000		
Output/Activity	5. Number of State and Local Agreements Processed.	1,697	1,526	...	1,424	1,500	1,500		
	6. Participation in Investigations Initiated * - County/Local Investigations. - State Investigations. - County/Local Prosecutors. - State Prosecutors.	\$ 579 67.7 269 31.5 64 7.5 34 4.0	\$ 524 72.6 230 31.9 69 9.6 26 3.6	\$ 492 78.1*	\$ 492 78.1*	\$ 492 78.1*	\$ 492 78.1*		
Intermediate Outcome	7. Cooperative Arrests with State and Local Officers. 2/	N.A.	N.A.	N.A.	N.A.	N.A.	N.A.		
	8. Cooperative Seizures with State and Local Officers. (dollar value in thousands) 2/	N.A.	N.A.	N.A.	N.A.	N.A.	N.A.		

GENERAL GOAL: 3. Work fully and effectively with State and local drug law enforcement and prosecution agencies.										
PERFORMANCE INDICATOR INFORMATION		PERFORMANCE TARGETS AND ACTUAL RESULTS								
Type of Indicator	Performance Indicators	1993 Actual	1994 Actual	1995 Target	1995 Estimate	1996 Target	1997 Target			
End Outcome	9. Participation in Investigations Resulting in Charges <ul style="list-style-type: none">- County/Local Investigators.- State Investigators.- County/Local Prosecutors.- State Prosecutors. 10. Asset Forfeitures. 2/ 11. Equity Sharing Payments. 2/	£ 1,577 60.5 860 34.3 157 6.3 188 7.5 N.A. N.A.	£ 1,179 63.4 630 33.9 154 8.3 48 2.6 N.A. N.A.	£	£ 524 64.3* 494 35.8 50 3.6 61 4.4 N.A. N.A.	£ N.A. N.A.	£ N.A. N.A.			
Productivity/ Efficiency	None reflected at this time. • Data as of 8-28-95. 1/ Data reflected as of 3-11-96. 2/ Data under development. NOTE: Excludes impact of Treasury Asset Forfeiture funds in support of State and Local Overtime for FY 1995 - FY 1997.									

GENERAL GOAL: 3. Work fully and effectively with State and local drug law enforcement and prosecution agencies.						
PERFORMANCE INDICATOR INFORMATION		PERFORMANCE TARGETS AND ACTUAL RESULTS				
Type of Indicator	Performance Indicators	1993 Actual	1994 Actual	1995 Target	1995 Estimate	1997 Target
A.	<p>Definitions of Terms or Explanations for Indicators: From the Program's inception, State and local law enforcement elements have worked closely with the Task Forces. The OCDETF Guidelines promote joint involvement of State and local authorities in the investigation, apprehension, and prosecution of major drug traffickers and their organizations.</p> <p>Several elements of the OCDETF Program facilitate State and local participation. A total of \$5.3 million was available for FY 1994 from the Drug Grant Program of the Office of Justice Programs (OJP) to the OCDETF Program to reimburse States and localities for overtime and expenses incurred by their personnel while participating in Task Force cases. This funding was distributed among the 13 Task Forces based on a variety of factors including demonstrated need and caseload. To receive funding, State and Local governments must enter into an agreement with an OCDETF Task Force. Agreement requests are submitted from the district to the OCDETF Coordination Group for approval. Once an agreement is approved, State and Local governments then submit Reimbursement Requests for payment after the expenses have been incurred. The Executive Office for OCDETF serves as the coordination and policy office for this Program. The Executive Office coordinates and manages the funding on a nationwide basis and processes all State and Local Agreements and reimbursement Requests for obligation and payment. Since the inception of the Program, Task Forces have entered into 9,600 agreements with State and local governments nationwide and more than 26,000 State and local officers have taken part in the Program. Although these local agencies continue to pay the salaries of their investigators who work on Task Force cases, they are assisted in meeting the costs of overtime, travel, and per diem expenses resulting from their participation.</p> <p>In FY 1995, \$5.1 million in funding was allocated for this program from the Department of Justice Assets Forfeiture Fund (AFF). However, Justice AFF funding is available only when a Justice Department agency sponsors the State and local involvement in the case, resources for all cases. The Treasury Department provided \$1 million in FY 1995 for OCDETF State and Local Overtime requirements for which the Bureau of Alcohol, Tobacco and Firearms (ATF), Internal Revenue Service (IRS), or the U.S. Customs Service (USCS) is the sponsoring agency.</p> <p>State and local participation is further facilitated, when appropriate to a case, by the deputization of State and local law enforcement officials. Upon deputization, State and local officers adhere to the requirements of the Federal Rules of Criminal Procedure as well as the policies and procedures of the sponsoring Federal agency.</p> <p>The cross-designation of attorneys and the sharing of forfeited assets further enhances the OCDETF Program approach to intergovernmental cooperation. Cross-designation of attorneys makes it possible for designated Federal attorneys to participate in State court prosecutions or for State attorneys to participate in Federal prosecution. Sharing of forfeited assets provides a bonus to participating State and local agencies in the form of vehicles, aircraft, boats, weapons, and cash.</p> <p>The most striking recent development investigations initiation figures was the planned involvement of local investigators in most cases, 72.6 percent, and of State investigators in 31.9 percent for FY 1994. Preliminary figures for FY 1995 indicate that these percentages have risen to 78.1 percent and 45.7 percent respectively.</p>					

GENERAL GOAL: 3. Work fully and effectively with State and local drug law enforcement and prosecution agencies.						
PERFORMANCE INDICATOR INFORMATION		PERFORMANCE TARGETS AND ACTUAL RESULTS				
Type of Indicator	Performance Indicators	1993 Actual	1994 Actual	1995 Target	1995 Estimate	1997 Target
<p>B. Factors Affecting FY 96 Program Performance. Describe reasons for any significant differences between target levels of performance and estimates of actual performance, whether positive or negative.</p> <p>For FY 1995, funding for the State and Local Overtime Program was no longer a line item in the Federal Budget. Pending for this Program in FY 1995 is being derived from the Department of Justice Asset Forfeiture Fund (AFF). However, only \$4,731 million was initially made available from the Department of Justice AFF. This was subsequently increased to \$5.3 million in the fiscal year.</p> <p>Legal limitations on the use of Department of Justice AFF resources created an immediate problem. State and Local seizures in any OCEDTF case that involved only law enforcement personnel from the Department of the Treasury agencies could not be funded. Approximately 10.7 percent of previous funding had been expended on such cases.</p> <p>The Treasury Department Asset Forfeiture Fund is provided \$1.0 million in FY 1995 to OCEDTF State and Local Overtime requirements. This funding was allocated to the three Treasury member agencies: BATF, IRS, and Customs for two 1/2 investigations in which those agencies sponsor the participating State and Local Departments.</p> <p>As a result of this change in funding of the OCEDTF State and Local Overtime Program and resultant separate systems now being maintained, three major problem areas have been identified: operational problems; administrative problems; and establishment of new procedures which are not in accordance with the President's Streamlining Guidance.</p> <p>The use of Asset Forfeiture funding from both the Department of Justice and Department of Treasury simply cannot provide a stable and permanent source of base funding for this most important Program.</p>						
<p>C. Factors Affecting Selection of FY 96 and 97 Targets. Provide information on the selection of target levels of performance, where necessary.</p>						

PERFORMANCE MEASUREMENT TABLE: PRESENTED BY GENERAL GOAL

GENERAL GOAL: 4. Make full use of financial investigative techniques, including tax law enforcement and forfeiture actions against assets obtained as a result of illegal drug trafficking or related crime activity.											
PERFORMANCE INDICATOR INFORMATION			PERFORMANCE TARGETS AND ACTUAL RESULTS								
Type of Indicator	Performance Indicators	1993 Actual	1994 Actual	1995 Target	1995 Estimate	1996 Target	1997 Target				
Input		\$	\$	\$	\$	\$	\$				
	1. IRS Budget Amount and Share (%) of the OCEDETF Budget (in millions).	\$38.5	\$38.5	\$37.1	\$37.1	\$35.3	\$36.6				
	2. Tax Division Budget Amount and Share (%) of the OCEDETF Budget (in millions).	1.2	1.2	1.3	1.3	1.2	1.3				
	3. Internal Revenue Service FTE.	450	434	423	423	361	361				
	4. Tax Division FTE.	12	11	12	12	12	12				
	5. U.S. Customs Budget Amount and Share (%)	29.2	29.2	28.1	28.1	26.7	27.6				
	6. U.S. Customs FTE.	352	325	318	318	318	318				
	7. Percentage of Customs Budget that is Financial Investigations Related ^{2/}	N.A.	N.A.	N.A.	N.A.	N.A.	N.A.				
	8. Types of Criminal Activities (Financial Investigation Related Activities) Involved in Investigations Initiated.*										
	Activity										
	- Financial backing	248	167	...	138	...	...		
	- Money laundering	610	539	...	453	...	...		
	- Tax violation	349	270	...	229	...	...		
	9. Tax Division**										
	OCEDETF Case Receipts										
	a. Complex Case Other Than Outgrowth	74	34	63	63	63	63				
	b. Outgrowth	27	70	34	34	34	34				
	Subtotal	111	104	97	97	97	97				
	c. Grand Jury Investigations	12	45	12	12	12	12				
	Total Case Receipts	123	149	109	109	109	109				

GENERAL GOAL: 4. Make full use of financial investigative techniques, including tax law enforcement and forfeiture actions against assets obtained as a result of illegal drug trafficking or related crime activity.

PERFORMANCE INDICATOR INFORMATION		PERFORMANCE TARGETS AND ACTUAL RESULTS						
Type of Indicator	Performance Indicators	1993 Actual	1994 Actual	1995 Target	1995 Estimate	1996 Target	1997 Target	
Output/Activity	10. Number of Money Laundering Organization Investigations Closed During the Year/2/	N.A.	N.A.	N.A.	N.A.	N.A.	N.A.	
	11. Number of Money Laundering Organization Prosecutions ended During the Year/2/	N.A.	N.A.	N.A.	N.A.	N.A.	N.A.	
Intermediate Outcome	12. IRS Participation in Investigations Initiated.	£ \$ 511 59.8	£ \$ 420 58.2	£ \$ 409 59.2	£ \$ 328 52.1	£ \$	£ \$	
	13. Types of Criminal Activities Charged in Indictments and Informations Returned (Financial Investigations Related Activities). ***							
	- Financial banking	86 3.4	37 2.0	...	13 0.9	...	...
	- Money laundering	407 16.2	283 15.2	...	190 13.4	...	...
	- Tax violation	117 4.6	52 2.7	...	42 2.9	...	...
	14. Investigative Techniques (Financial Investigations Related Activities) used for Indictments and Informations Returned. ****							
	Techniques							
	- Financial investigation	584 23.3	471 25.3	...	326 23.6	...	...
	- Tax Grand Jury	113 4.5	84 4.5	...	30 2.1	...	...
	- Foreign bank/financial records	59 2.4	31 1.7	...	26 1.8	...	...

GENERAL GOAL: 4. Make full use of financial investigative techniques, including tax law enforcement and forfeiture actions against assets obtained as a result of illegal drug trafficking or related crime activity.									
PERFORMANCE INDICATOR INFORMATION		PERFORMANCE TARGETS AND ACTUAL RESULTS							
Type of Indicator	Performance Indicators	1993 Actual	1994 Actual	Target	1995 Estimate	1996 Target	1997 Target		
End Outcome	15. Financial Investigation's Related Offenses Charged/Defendants Charged;*****								
	Offense								
	- Title 26: Tax Violations	105 1.4	48 0.8	...	28 0.6 1/2	...	...
	- Title 18: Tax Conspiracy	70 1.0	107 1.8	...	16 3.0 1/2	...	...
	- Title 18: Money Laundering**	820 11.1	502 8.3	...	346 9.2 1/2	...	...
	- Title 31: Currency Violations	104 1.4	55 1.0	...	24 0.3 1/2	...	...
	16. Tax Division:*								
	OCDETF Case Closings								
	a. Complex Cases Other Than								
	Outgrowth.....	31	33	13	13	13	13		
Productivity/ Efficiency	b. Outgrowth.....	11	12	19	19	19	19		
	Subtotal.....	42	45	32	32	32	32		
	c. Grand Jury Investigations.....	8	11	9	9	9	9		
	Total Case Closings.....	50	50	41	41	41	41		
	17. Amount of Assets Seized (cash and property in millions).*****	\$254.6	\$239.0	...	\$81.2	...	...
	18. Number of Financial Investigation Related Arrests. 2/	N.A.	N.A.	N.A.	N.A.	N.A.	N.A.		
	19. IRS Participation in Investigation Resulting in Charges.	972 38.8	685 36.8	668 37.5	538 39.0 1/2	...	...
	20. Amount of Assets Forfeited (cash and property in millions).	\$80.3	107.9	...	\$32.2	...	...
	21. Financial Investigations Related Convictions.	N.A.	N.A.	N.A.	N.A.	N.A.	N.A.		
Productivity/ Efficiency	None Proposed at this time.								
	1/ Data as of 3-11-96.								
	2/ Data under development								

GENERAL GOAL: 4. Make full use of financial investigative techniques, including tax law enforcement and forfeiture actions against assets obtained as a result of illegal drug trafficking or related crime activity.						
PERFORMANCE INDICATOR INFORMATION			PERFORMANCE TARGETS AND ACTUAL RESULTS			
Type of Indicator	Performance Indicators	1993 Actual	1994 Actual	1995 Target	1996 Estimate	1997 Target
<p>A. Definitions of Terms or Explanations for Indicators: Clarify potentially confusing terms. Assume a low level of familiarity with your program.</p> <p>Financial Investigations:</p> <p>The criteria for selection of Task Force cases are designed to ensure that each case chosen is of a type and magnitude that will derive maximum benefit from utilization of the Task Force approach. Cases that require the expertise of more than one investigative agency, that involve major drug trafficking figures or organizations, and that involve activity in more than one jurisdiction are prime candidates for consideration as Task Force cases. The effectiveness of OCEDETF case management is materially enhanced by Assistant U.S. Attorney involvement at the early stages of the investigation.</p> <p>Cases that meet these criteria, while usually targeting drug kingpins, often lead to charges against and conviction of other criminals. These individuals fall into two broad categories: those providing support functions to illegal drug trafficking and those who work directly for the kingpin. Those providing ancillary support include such specialists as money-launderers, financiers, legal counselors, and drug-producing and drug-dealing chemists. Direct employees of the drug trafficking operations may include wholesalers, distributors, and enforcers. Cases may also lead to other organizations connected to the initial target. Those may include smuggling, supply, distribution, or production organizations whose existence was unsuspected at the inception of the case. Often, investigations of these connected organizations or figures provide the information and link needed to develop a successful case against the kingpin who were the initial focus of the investigation.</p> <p>The OCEDETF Program has found that financial investigations often provide an opportunity for exposing such links. The uncovering of the financial network of organized drug trafficking operations is also an invaluable tool in piecing together details of organizational relationships in the drug trafficking world. The results of such investigations enable Task Force investigators to trace the cash flow that sustains the entire organizational structure of drug trafficking operations.</p> <p>During prosecutions, evidence gathered in financial investigations is used to give juries a clearer picture of the scope of drug operations. This type of evidence is often more enlightening to a jury than is the simple fact of a quantity of seized drugs.</p> <p>Often, evidence is found in financial investigations that allows for immediate seizure of drug organization or drug kingpin assets. In addition, financial investigations can provide the basis for bringing currency or tax violation charges against drug organizations and kingpins. These charges are an important adjunct to the drug charges themselves and in some instances, where direct drug charges cannot be sustained, provide the only way of successfully prosecuting drug traffickers.</p> <p>The IRS actively participates in Task Force cases through its investigation of tax-related violations of the Internal Revenue Code. The IRS's Criminal Investigation Division also investigates money laundering operations, enforces major provisions of the Bank Secrecy Act, and assists in asset seizure and forfeiture actions. Additionally, the IRS's Examination Division may initiate property asset termination tax assessments in cases where the collection of a tax may be in jeopardy.</p>						

GENERAL GOAL: 4. Make full use of financial investigative techniques, including tax law enforcement and forfeiture actions against assets obtained as a result of illegal drug trafficking or related crime activity.						
PERFORMANCE INDICATOR INFORMATION		PERFORMANCE TARGETS AND ACTUAL RESULTS				
Type of Indicator	Performance Indicators	1993 Actual	1994 Actual	1995 Target	1996 Target	1997 Target
	<p>Along with the IRS, the U.S. Customs Service has been especially effective in conducting financial investigations. Through its analysis of computer data collected under the Bank Secrecy Act, Customs identifies drug traffickers and money launderers for OCDETF Task Force investigations. Customs' capacity to track the international movement of cash, persons, and commodities complements the drug trafficking investigations of other Task Force agencies.</p> <p>The Tax Division provides nationwide review and coordination of all tax charges in OCDETF cases. An experienced Tax Division attorney is assigned as a liaison official to each of the 13 OCDETF task forces. These attorneys work closely with each Core City AUSA and IRS coordinator and the AUSAs and IRS Special Agents in the investigation of tax crimes. They provide the Local task force with advice, guidance and expertise in developing and handling the tax investigations. They also provide litigation support.</p> <p>*Types of Criminal Activities Involved in Investigations Initiated: More than one activity is involved in many investigations. The percentage of identified money laundering cases continued to increase in FY 1989 and FY 1990 over previous years.</p> <p>**Tax Division Workload: Workload statistics were obtained from the Criminal Appeals and Tax Enforcement Policy (CATEP) Section, which maintains the Tax Division's automated case reporting and tracking system for criminal tax matters. 1994 data reflects actual end of year caseload. 1995 data and one-year estimates are based upon internal data, statistics received from the Criminal Investigation Division of the IRS, and information obtained from the Office of National Drug Control Policy.</p> <p>***Types of Criminal Activities Charged: The number of indictments and informations in which this activity was charged. The number of indictments and informations returned in Task Force cases. The percentages show the frequency for each category of illicit activity charged. More than one activity is charged in many cases.</p> <p>****Investigative Techniques Used: The major financial investigation-related investigative techniques used during investigation and prosecution. The number of indictments and informations in which this technique was used. The number of indictments and informations returned in Task Force cases. The percentages show the frequency with which each financial investigation-related technique was used. More than one technique is involved in many cases.</p> <p>Clearly, OCDETF make extensive use of a wide variety of investigative methods, some of which require considerable sophistication and persistence to exploit properly. It is also apparent that it is typical to employ several investigative methods during the course of any particular investigation. All of these methods are currently in use in each Task Force region. The charges under Titles 18, 26, and 31 have each brought down hundreds of drug-connected defendants, some of whom have received the highest penalties. In FY 1990 OCDETF began recording indictments under the money laundering provisions of Title 18.</p>					

GENERAL GOAL: 4. Make full use of financial investigative techniques, including tax law enforcement and forfeiture actions against assets obtained as a result of illegal drug trafficking or related crime activity.						
PERFORMANCE INDICATOR INFORMATION		PERFORMANCE TARGETS AND ACTUAL RESULTS				
Type of Indicator	Performance Indicators	1993 Actual	1994 Actual	1995 Target	1995 Estimate	1997 Target
<p>*****Offenses Charged:</p> <p>The number of defendants charged in Task Force cases indictments and informations. The percentages above the frequency with which each financial investigation-related offense is charged. Many defendants were charged with more than one offense. Some defendants were charged in more than one indictment or information.</p> <p>*****Non-Drug Seizures</p> <p>Drug trafficking organizations, like other businesses, can be disrupted by the removal of the financial resources needed to support their operations as well as by the removal of leadership and expertise. Through September 30, 1995, the OCDETF Program had seized a total of \$3.160 billion in property and cash.</p>						
<p>B. Factors Affecting FY 95 Program Performance. Describe reasons for any significant differences between target levels of performance and estimates of actual performance, whether positive or negative.</p>						
<p>C. Factors Affecting Selection of FY 96 and 97 Targets. Provide information on the selection of target levels of performance, where necessary.</p>						

Interagency Law Enforcement
Interagency Crime and Drug Enforcement
1987 Priority Rankings

BASE PROGRAM

Program	Ranking
Law Enforcement	1
Drug Intelligence	2
Prosecution	3
Administrative Support	4

Interagency Law Enforcement
Interagency Crime and Drug Enforcement
Detail of Permanent Positions by Category
Fiscal Years 1986 - 1987

Category	1986		1987	
	Total Authorized	Total Authorized	Program Increases	Total Authorized
Attorneys (905).....	512	499	...	499
Paralegal Specialists (950).....	45	45	...	45
Investigative Assistants (1602).....	1	1	...	1
Criminal Investigative series (1811).....	2,236	2,120	...	2,120
Other Miscellaneous Occupations (001-089).....	11	11	...	11
Social Science, Economics, and Kindred (100-199).....	85	85	...	85
Gen. Admin., Clerical, and Office Services (300-399).....	1,116	1,041	...	1,041
Accounting and Budget (500-599).....	8	6	...	6
Total.....	4,012	3,808	...	3,808
Washington.....	58	58	...	58
U.S. Field.....	3,954	3,750	...	3,750
Foreign Field.....	...	...	...	...
Total.....	4,012	3,808	...	3,808

Interagency Law Enforcement
Interagency Crime and Drug Enforcement
Summary of Agency/Attorney and Support Positions/Workyears
FY 1986 - 1987

Reimbursable Positions Decision Unit	1986 Appropriation Enacted					1987 Program Changes					1987 Budget Level				
	Agency Pos.	FTE	Support Pos.	FTE	Total Pos.	Agency/Att Pos.	FTE	Support Pos.	FTE	Total Pos.	Agency/Att Pos.	FTE	Support Pos.	FTE	Total Pos.
Law Enforcement:															
Drug Enforcement Administration.....	773	760	202	202	975	...	...	...	...	...	773	760	202	202	975
Federal Bureau of Investigation.....	534	534	298	298	830	...	...	...	...	...	534	534	298	298	830
Immigration & Naturalization Service.....	98	98	4	4	102	...	...	...	...	...	98	98	4	4	102
U.S. Marshals Service.....	13	13	...	...	13	...	...	...	...	...	13	13	...	...	13
U.S. Customs Service.....	255	255	63	63	318	...	...	...	...	...	255	255	63	63	318
Bureau of Alcohol, Tobacco & Firearms.....	98	91	5	5	103	...	...	...	...	...	98	91	5	5	103
Internal Revenue Service.....	285	278	87	85	372	...	...	...	...	...	285	278	87	85	372
U.S. Coast Guard.....	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...
Subtotal.....	2,058	2,027	657	655	2,713	...	...	...	...	...	2,058	2,027	657	655	2,713
Drug Intelligence:															
Drug Enforcement Administration.....	8	8	10	10	25	...	...	...	...	...	8	8	10	10	25
Federal Bureau of Investigation.....	58	58	93	93	151	...	...	...	...	...	58	58	93	93	151
Subtotal.....	64	64	112	112	176	...	...	...	...	...	64	64	112	112	176
Prosecution:															
U.S. Attorneys.....	484	483	403	394	887	...	...	...	...	...	484	483	403	394	887
Criminal Division.....	4	4	2	2	6	...	...	...	...	...	4	4	2	2	6
Tax Division.....	11	10	3	2	14	...	...	...	...	...	11	10	3	2	14
Subtotal.....	499	477	408	396	907	...	...	...	...	...	499	477	408	396	907
Administrative Support:															
Executive Office.....	...	...	12	12	12	...	...	...	...	...	...	...	12	12	12
TOTAL.....	2,619	2,568	1,189	1,187	3,808	...	...	...	...	...	2,619	2,568	1,189	1,187	3,808

Interagency Law Enforcement
Interagency Crime and Drug Enforcement
Summary of Change
(Dollars in thousands)

	Perm Est.	Work- Years	Amount
1996 President's Request.....			
1996 Appropriation Enacted.....	3,883	3,927	\$378,473
Adjustments to Base:	3,808	3,735	359,843
Mandatory Increases:			
Annualization of 1996 pay raise.....	..	..	3,012
1997 pay increase.....	..	..	6,280
Within-grade increases.....	..	..	1,534
Administratively determined pay increase.....	..	..	482
Travel mileage rate increase.....	..	..	303
General pricing level adjustment.....	..	..	543
Total, mandatory increases.....	..	..	12,174
1997 Base.....	3,808	3,735	372,017
Program Changes.....	..	..	..
1997 Estimate.....	3,808	3,735	372,017

**Interagency Law Enforcement
Interagency Crime and Drug Enforcement
Justification of Adjustments to Base
(Dollars in thousands)**

	Amount
Mandatory Increases:	
1. 1997 pay raise.....	\$6,280
This request provides for the proposed 3.1 percent pay raise to be effective in January of 1997 and is consistent with Administration policy included in the Mid Session Review revised economic assumptions, June 11, 1995. The amount requested, \$6,280,000, represents the pay amounts for three-quarters of the fiscal year plus appropriate benefits (\$5,065,000 for pay and \$1,215,000 benefits = \$6,280,000).	
2. 1996 locality pay adjustment.....	850
This adjustment represents the locality pay increase to be effective in January 1996. The 1996 increases are calculated at the rates approved in 1995 for the full fiscal year.	
3. Annualization and increase of 1996 pay raise.....	2,182
The pay annualization represents first quarter amounts (October through December) of the anticipated 1996 pay increase of 2.4 percent estimated to be effective January 1996, plus appropriate personnel benefits and the additional amount required above the 2.2 percent originally requested for three-quarters of the year (\$1,750,000 for pay and \$412,000 for benefits).	
4. Within-grade increases.....	1,534
This request provides for the expected increase in costs of within-grade increases. This increase is based on an accurate, dynamic model of the Department's employee population which includes numerous factors such as anticipated pay rates, adjustments to include three-year attrition/separation rates, and career ladder series to project promotion policy for each organization. The request includes \$1,179,000 for pay and \$405,000 for benefits.	

Amount	
482	5. Administrative salary increase..... This request provides for an expected annual pay adjustment of administratively determined salaries for the Assistant U.S. Trustees and for those U.S. Attorneys occupying ungraded positions in the U.S. Attorneys offices and the Organized Crime Drug Enforcement Task Forces (\$400,000 for pay and \$82,000 for benefits = \$482,000).
303	6. Travel mileage allowance rate increase..... The mileage allowance rate has increased from 25 to 30 cents per mile. An increase of \$303,000 is required in 1997 to cover this rate adjustment.
563	7. General pricing level adjustments..... This request applies OMB pricing guidance as of June 11, 1995, to selected expense categories. The increased costs identified result from applying a factor of 3.1 percent against those subobject classes where the prices that the Government pays are established through the market system instead of by law or regulation. Generally, the factor is applied to supplies, materials, equipment, contracts with the private sector, printing costs, transportation costs and utilities.
12,174	Total, mandatory increases.....
12,174	Total, adjustments to base.....

**Interagency Law Enforcement
Interagency Crime and Drug Enforcement
Summary of Requirements by Credit and Object Class
(Dollars in thousands)**

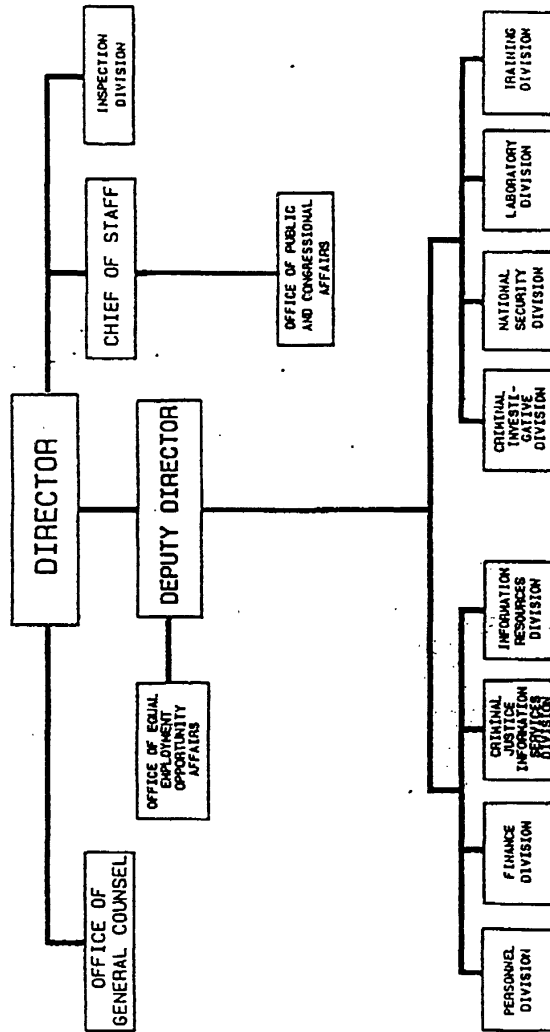
Object Class	1995 Actual		1996 Estimate		1997 Request		Increase/Decrease	
	Positions & Workyears	Amount	Positions & Workyears	Amount	Positions & Workyears	Amount	Positions & Workyears	Amount
111 Fidelity payment	3,056	\$190,958	3,725	\$190,798	3,725	\$207,539	..	\$8,252
113 Other personnel compensation
115 Other personnel compensation	821	31,213	615	30,853	615	31,813	..	1,150
118 Special personnel services
119 Payments	..	587	..	432	..	450	..	18
Total, workyears and personnel compensation	4,577	231,757	4,350	220,400	4,350	239,820	..	9,420
12 Personnel benefits	..	56,826	..	53,987	..	56,113	..	2,146
21 Travel and transportation
25 of persons	..	8,096	..	8,447	..	8,724	..	277
25 of things	..	7,754	..	1,025	..	1,025	..	..
251 Other transportation	..	24,726	..	21,049	..	21,049	..	42
252 Rental payments to others	..	941	..	1,025	..	1,025	..	..
253 Communications, utilities and miscellaneous charges	..	7,845	..	7,943	..	7,944	..	11
24 Printing and reproduction	..	318	..	317	..	319	..	2
25 Other services	..	24,726	..	24,726	..	24,726	..	..
26 Supplies and materials	..	4,223	..	3,716	..	3,803	..	87
31 Equipment	..	15,098	..	7,191	..	7,315	..	124
Total	..	374,943	..	359,843	..	372,017	..	12,174
Relationship of obligation to outlays
Obligated balance, start of year	..	124,308	..	93,739	..	94,821	..	94,821
Obligated balance, end of year
Adjustments in expired accounts
Outlays	..	\$405,510	..	\$358,981	..	\$385,283	..	\$385,283

**Department of Justice
Federal Bureau of Investigation
Salaries and Expenses
Estimates for Fiscal Year 1997
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FEDERAL BUREAU OF INVESTIGATION



Approved: *Janet Reno* Date: 06/17/94
 JANET RENO
 Attorney General
 A-1

**Federal Bureau of Investigation
Summary Statement
Fiscal Year 1997**

Overview

The President's 1997 budget proposes a total of \$2,837,382,000 in direct budget authority and 23,691 positions (10,074 agents) for the FBI under four separate appropriations: Salaries and Expenses, \$2,548,583,000 and 23,685 positions (10,074 agents); Violent Crime Reduction Program, \$133,123,000 and 6 positions; Construction, \$5,676,000; and Telephone Carrier Compliance, \$100,000,000. This request represents a net increase of \$310,310,000 over the 1996 appropriation anticipated and a net program increase totaling \$227,789,000, including 751 positions (182 agents).

Additionally, the President's 1997 budget for the Interagency Crime and Drug Enforcement appropriation would provide reimbursements totaling \$106,623,000 for 981 positions (592 agents) for FBI participation in Interagency Crime and Drug Enforcement Task Force related activities.

The President's 1997 budget also includes a legislative proposal that would establish mandatory funding for the investigation of health care fraud cases. If enacted, existing FBI resources directed toward health care fraud investigations, \$38,000,000 and 418 positions (247 agents), would shift from discretionary to mandatory funding status. Under this proposal, the FBI would be allocated a total of \$56,000,000 and 511 positions (339 agents) from the Fund in 1997 for health care fraud investigations.

Salaries and Expenses

For 1997, the FBI is requesting a Salaries and Expenses appropriation totaling 23,685 positions (10,074 agents) and \$2,548,583,000, including 749 new positions (182 agents) and \$89,824,000 in program increases.

Organized Criminal Enterprises

The Organized Criminal Enterprises program provides resources needed to identify, investigate, and reduce the influence of the La Cosa Nostra, Asian, Italian, European, Eurasian, South America, Mexican, African, and other international and domestic organized crime groups. At the core of the FBI's Organized Criminal Enterprise program is the recognition that the greatest impact on organized crime and drug trafficking is achieved by concentrating investigations on the major domestic and international criminal organizations and regional groups which control significant segments of illegal activities in the United States. Toward this end,

resources are focused in an organizationally-based, intelligence driven approach to fully identify, disrupt, and dismantle criminal organizations using the Enterprise Theory of Investigation. Investigations often employ the use of undercover operations, court-approved electronic surveillance, and extensive physical surveillance of targets. During 1995, investigative efforts under the Organized Criminal Enterprises program resulted in the filing of 2,313 information and indictments, the arrest of 1,775 subjects, and the conviction of 1,429 persons. Additionally, 1,585 civil forfeiture judgments and criminal forfeiture orders were obtained. Seizures of illegal drugs and other contraband valued at \$229,610,000 were made. For 1997, the Organized Criminal Enterprises program requires \$377,221,000 and 3,886 positions, including program increases totaling \$16,972,000 and 112 positions (34 agents) for initiatives addressing drug trafficking along the Southwest Border, training and technical assistance for foreign law enforcement, expansion of overseas Legal Attache offices, and the purchase of drug evidence and informant payments.

The Southwest Border Project (SWBP) is a joint FBI, Drug Enforcement Administration, United States Attorney initiative targeting the four most significant Mexican Drug Trafficking Organizations (MDTOs). These organizations are involved in the trafficking of bulk quantities of cocaine, marijuana, and heroin, as well as the laundering of money obtained from drug activities. MDTOs promote corruption of public officials through a combination of intimidation and violence, as well as monetary payments to gain influence and access. These organizations operate internationally, principally with Colombian drug cartels. Mexican organizations are also interacting with Italian, Asian, and Nigerian criminal enterprises by providing transportation services, storage facilities, and access to corrupt public officials to facilitate the movement of illicit drugs and contraband, and illegal aliens. Currently, the FBI has 198 agents assigned to SWBP cases. To further enhance efforts against these four MDTOs in 1997, the FBI requires an additional \$8,410,000 and 104 positions (50 agents).

Recognizing the growing international nature of crime, the FBI is working to establish cooperative relationships with foreign law enforcement agencies, particularly in the countries of the former Soviet Union, Eastern Europe, and the Baltics. In particular, the FBI is providing training and technical assistance to foreign law enforcement. This assistance is made possible through funding appropriated to the Department of State for the Freedom Support Act (FSA) and Support for Eastern European Democracies (SEED) programs. In 1995, the FBI coordinated over 40 in-country training and assistance programs for 12 foreign governments. More than 1,800 foreign law enforcement officers received training under these programs. For 1997, the FBI requires \$2,090,000 for FBI costs involved in providing training in the countries of the former Soviet Union, Eastern Europe, and the Baltics. These costs include instructor travel, course development, translation services, interpreter services, and related expenses. Student costs would continue to be covered by funding appropriated to the Department of State for FSA and SEED programs. Additionally, \$300,000 is required for FBI costs associated with the building of democratic law enforcement institutions in Kazakhstan and the Ukraine.

International crime has a direct impact on the citizens and economy of the United States. To facilitate the investigation of violations of United States law that transcend national boundaries, the FBI operates 23 overseas Legal Attache posts, staffed by 70

agents and 54 support staff. These resources support the goals and objectives of each of the FBI's three investigative programs: Organized Criminal Enterprises, White-Collar Crime, and Other Field programs. These overseas offices are critical to establishing and maintaining "cop-to-cop" partnerships with foreign law enforcement agencies. The FBI recently developed a multi-year plan for the expansion of overseas Legal Attache posts into additional countries to facilitate the investigation of organized crime, drugs, terrorism, violent crimes, white-collar crimes, and national security matters. This plan is presently undergoing Administration review prior to submission to the Congress. In 1996, Congress appropriated funding for nonpersonnel costs associated with opening four new Legal Attache offices: Egypt (Cairo), Israel (Tel Aviv), Pakistan (Islamabad), and Peoples Republic of China (Beijing). This funding recurs in 1997 to continue the proposed expansion plan. For 1997, the FBI requires an additional \$1,172,000 and 8 positions (4 agents) to staff additional Legal Attache offices proposed for opening under the multi-year plan.

Funding totaling \$5,000,000 is also required in 1997 for the purchase of drug evidence and informant payments. Controlled drug purchases are a critical investigative technique used by the FBI to identify traffickers and gang members, to identify methods of distribution and sources of supply, and to gather evidence for use in trials. Drug purchases also provide an opportunity to introduce undercover agents to the organization. The quantity of drugs sold directly impacts the length of sentence meted out to offenders. Similarly, informants and cooperating witnesses provide essential intelligence on criminal activities that may not otherwise be obtainable by law enforcement. The FBI's ability to secure and maintain the assistance of informants and cooperating witnesses depends largely upon its ability to compensate them for their services.

White-Collar Crime

Through the White-Collar Crime program, the FBI investigates Government program fraud, health care fraud, thefts and embezzlements from financial institutions, violations of Federal environmental statutes and regulations, telemarketing fraud, computer fraud and abuse, money laundering, insurance fraud, public corruption, and bankruptcy fraud. Increasingly, white-collar crime investigations are becoming international in nature as criminals exploit computer and related electronic technologies to commit frauds and transfer illegally obtained monies to foreign banks. To attack the problem of white-collar crime, the FBI uses a wide range of investigative techniques, including undercover operations and court-approved electronic surveillance. Additionally, the program provides investigative support to antitrust investigations brought about by the Department of Justice and to investigations conducted by Independent Counsels. During 1995, the FBI conducted 23,247 white-collar crime investigations. Investigative efforts in 1995 resulted in the filing of 6,580 information and indictments, the conviction of 5,635 persons, and the imposition of \$142,170,000 in fines. The value of stolen items recovered and court-ordered restitutions exceeded \$3.3 billion. For 1997, the White-Collar Crime program requires \$436,014,000 and 4,591 positions, including a program increase of \$3,029,000 and 33 positions (20 agents).

The United States Government is focusing substantial resources along the Southwest Border to combat the problems of illegal immigration and drug trafficking. These illicit activities are highly profitable criminal enterprises, often carried out by organized groups that are willing and able to undermine enforcement efforts through the corruption of public officials, including law enforcement officers. FBI investigations in the Southwest Border States, along with information provided by other Federal agencies, have documented evidence of a significant public corruption problem among Federal, State, and local law enforcement. As a result of this corruption, major drug traffickers continue to smuggle large quantities of illegal narcotics across the Southwest Border. Under the auspices of the SWBP, the FBI requires an increase of \$3,029,000 and 33 positions (20 agents) to attack the corruption of public officials, including law enforcement personnel, along the Southwest Border. These resources will allow the formation of multi-agency task forces of Federal, State, and local law enforcement, that will focus on identifying and eliminating corruption within agencies.

Other Field programs

Resources provided for Other Field programs are required to investigate violent and major property crimes, including crimes committed on Government property and Indian reservations, to locate and apprehend serious fugitives, to investigate violations of civil rights statutes, to prevent and investigate acts of terrorism, and to protect the national security of the United States. This program also includes the investigative services, programs, and assistance provided by the Critical Incident Response Group, located at the FBI Academy, Quantico, Virginia.

Violent crime remains a significant problem in the United States and a significant concern to its citizens. FBI Uniform Crime Report data show that the violent crime rate increased 40 percent over the past 10 years and 79 percent over the past 20 years. The cost of these crimes have two dimensions: first, a dollar amount calculated by adding up property losses, productivity losses, and medical expenses, and second, an amount less easily quantified because it is measured in terms of the pain, emotional trauma, injury, and death that result from violent crimes. Researchers have estimated that crime victimizations annually generate \$105 billion in property and productivity losses and outlays for medical expenses. This amounts to an annual "crime tax" of \$425 for every man, woman, and child in the United States. The FBI's Other Field programs provides resources required to investigate violent crimes involving Federal statutes, including those committed on Government property and Indian reservations, as well as to provide investigative assistance to State and local law enforcement in locating and arresting fugitives wanted for serious, violent offenses. The FBI uses undercover operations, joint agency task forces, court-approved electronic surveillance, and other investigative techniques to reduce the impact of violent crime on the Nation's communities. During 1995, FBI violent crimes investigations resulted in the filing of 6,320 information and indictments, the arrests of 24,265 individuals, and the convictions of 5,284 persons in Federal court and 2,007 persons in State or local court. FBI violent crime efforts are consistent with the Anti-Violent Crime Initiative, announced in March, 1994, and the National Gang Strategy, announced in December 1995.

Other Field programs resources also support civil rights investigations that focus upon the protection of the civil rights of all persons in the United States. This area includes investigations under the Freedom of Access to Clinic Entrances (FACE) Act. The Critical Incident Response Group (CIRG) provides the FBI with the capabilities to respond to crisis situations, such as hostage/barricade situations and terrorist incidents. The group encompasses the FBI's Hostage Rescue Team, special weapons and tactics training, negotiator training, aviation and special operations services, and undercover operations support. The CIRG also provides investigative assistance and training to Federal, State, and local law enforcement agencies in a number of areas, including child abduction cases, serial crimes and murders, crisis management, and criminal profiling. The group includes the activities of the National Center for the Analysis of Violent Crime and the Morgan P. Hardiman Task Force on Missing Children.

The FBI is the lead Federal law enforcement agency in the United States Government's efforts to combat terrorism. Recent terrorist incidents, such as the bombings of the World Trade Center in New York City, New York, and the Murrah Federal Office Building in Oklahoma City, Oklahoma, have greatly heightened the awareness of citizens to the vulnerability of the United States to criminal acts by both domestic and international terrorist groups. In the aftermath of the Oklahoma City bombing, the FBI established a Counterterrorism Center that will serve as a national clearinghouse for critical information about terrorism and terrorist groups that can be coordinated and shared among the law enforcement and intelligence communities. The FBI also works closely with State and local law enforcement in a number of cities through Joint Terrorism Task Forces. Another important element of the FBI's counterterrorism program is special events management. Through this activity, the FBI coordinates contingency planning for responding to a potential terrorist incident during an event such as the Olympic Games, World Cup, or national political conventions. Other Field programs also include resources for activities in support of national security matters. For 1997, Other Field programs require \$960,650,000 and 9,214 positions, including program increases totaling \$29,143,000 and 319 positions (108 agents).

The United States, because of its size, extensive borders, open society, diverse population, and involvement in the global arena, is vulnerable to acts of terrorism by both domestic and international terrorist groups. Investigations have identified terrorist infrastructures and support networks in place in the United States. To conduct necessary investigations of terrorist groups and activities, the FBI requires an increase of \$18,276,000 and 231 positions (108 agents).

An important element of the FBI's response to the problem of violent crime has been the establishment of Safe Streets Task Forces. These task forces team the FBI with other Federal, State, and local law enforcement agencies to focus on street gang and drug-related violence, as well as the most significant fugitives wanted for crimes of violence and other major offenders. The FBI presently operates 138 Safe Streets Task Forces that involve 708 FBI Agents, 1,033 State and local law enforcement officers, and 183 other Federal law enforcement investigators. By 1997, the number of task forces is expected to grow to 158. As these task forces expand in both number of task forces and participants, there is a complimentary need for typists and related support staff. These staff are needed to help prepare arrest and search warrants, assemble case reports, and type communications, interviews, and other

investigative documents. The FBI provides all non-law enforcement support for Safe Streets Task Forces since most police departments do not have the ability to assign non-sworn personnel to these inter-agency teams. Additionally, most Safe Streets Task Forces operate from office space located in FBI field offices. For 1997, the FBI requires a program increase of \$2,867,000 and 88 positions to provide support services to Safe Streets Task Forces.

Executive Order 10450 and Office of Personnel Management regulations, Chapter 736, require that all persons in the Government in special-sensitive positions be subject to reinvestigation every 5 years. All FBI employees hold "Top Secret" clearances and are in special-sensitive positions. To comply with these requirements, the FBI has instituted a full reinvestigation program for all employees and contract employees with access to classified materials and facilities. The Aldrich Ames espionage case demonstrates the damage to the United States Government that can occur when an employee with access to national security information and other sensitive Government information is compromised. Presently, these reinvestigations are being performed primarily by Special Agents, with some use of contract special investigators. The use of contract special investigators would allow the FBI to redirect these agents back to higher priority counterterrorism and national security matters. A program increase of \$8,000,000 is required in 1997 to implement full five-year reinvestigations of FBI employees and contract employees having access to classified materials and facilities. This funding will be used to acquire the services of contract special investigators to conduct reinvestigations, to acquire additional polygraph equipment, and for operational costs.

Training, Recruitment, and Applicant

The Training, Recruitment, and Applicant program provides resources required to recruit and hire the most qualified individuals available to meet FBI agent and support staffing needs, to train FBI employees, and to provide training and investigative assistance to other Federal, State, local, and international law enforcement and criminal justice personnel. Within this program are resources for the FBI Academy, located at Quantico, Virginia. In 1995, the FBI Academy supported the training of 757 new FBI Agents, 1,029 State and local National Academy program students, 9,038 FBI employees attending in-service classes, 229 FBI employees participating in executive development programs, and 4,055 FBI employees attending specialized or technical programs. The facilities of the FBI Academy are also used by the Drug Enforcement Administration for basic agent training. In addition, FBI Academy instructors provided instruction to 15,059 students at State, local, and regional training facilities. A total of 66 students were trained at the International Law Enforcement Academy in Budapest, Hungary. In support of an aggressive hiring effort in 1995, the FBI processed 19,524 applications for the Special Agent position and 6,400 support applications were processed and 757 new Special Agents and 1,759 new support employees hired. It is anticipated that a similar heavy volume of hiring and training will continue through 1996 and 1997. For 1997, the Training, Recruitment, and Applicant program requires \$92,456,000 and 856 positions, including program increases totaling \$6,408,000 and 88 positions to achieve recruitment and hiring goals.

International crime, particularly acts of terrorism, nuclear smuggling, organized crime, computer crime, and drug trafficking, directly impact the citizens and economy of the United States. The FBI is using a number of approaches to develop cooperative law enforcement programs to deal with international crime. In April 1995, the International Law Enforcement Academy (ILEA) in Budapest, Hungary, began training programs for law enforcement officers from the countries of the former Soviet Union, Eastern Europe, and the Baltics. The FBI is the lead United States Government agency for the coordination of ILEA training programs. These programs foster the development of "cop-to-cop" partnerships not only between United States law enforcement and participating officers, but also between and among the students themselves. This interaction will yield more effective cooperation among nations in the fight against international crime. To support ILEA operations in 1997, the FBI requires a program increase of \$1,970,000 for instructors, interpreter services, translation of materials, and related expenses. An additional \$300,000 is required for international training programs in countries other than Eastern Europe, the Baltics, and the former Soviet Union.

The FBI strives to identify and implement innovative programs and policies that maximize the number of agents directly assigned to anti-crime and national security initiatives. One such program is the nationwide implementation of the Backlog and Investigations Contract Services (BICS) program. Through this program, contract special investigators perform applicant investigations previously assigned to FBI Agents. The use of contract investigators permits the FBI to redirect agents from applicant matters to higher priority criminal and national security investigations. A program increase of \$227,000 is required to complete the expansion of the BICS program to all 56 FBI Field Offices and cover 36 categories of applicant investigations. Additionally, \$3,911,000 and 88 positions are required to convert the applicant investigation support staff from a reimbursable funded status to direct funded status. Prior to BICS implementation, these 88 positions were funded through reimbursements from other Federal agencies using the FBI to perform background investigations; however, under BICS, this reimbursement would no longer be collected to offset the costs of these employees for providing program management, contract oversight, and administrative support to BICS special investigators.

Forensic Services

The successful investigation and prosecution of crimes requires, in most cases, the collection, examination, and scientific analysis of evidence recovered at the scene of the incident and obtained during the course of the investigation. Oftentimes, the availability and presentation of physical evidence is used in court to demonstrate the guilt, either directly or circumstantially, of the person on trial. The Forensic Services program supports the operations of the FBI Laboratory, one of the largest and most comprehensive crime laboratories in the world and the only full-service Federal forensic laboratory. The FBI Laboratory performs examinations of evidence for all duly constituted law enforcement agencies -- Federal, State, and local -- in the United States. During 1995, FBI Laboratory examiners and technicians conducted 632,825 examinations of evidentiary items submitted. Additionally, 2,598,964 latent fingerprint comparisons were performed. FBI Laboratory personnel also provide training to other law enforcement

and crime laboratory personnel at the FBI Academy, in Quantico, Virginia, at regional and local training sites, and at the Hazardous Devices School in Redstone, Alabama. During 1995, the FBI trained 3,315 students in basic and advanced forensic science topics. Additionally, the forensic research and development program focuses on the development and implementation of improved and new examination techniques and forensic technologies. For example, the FBI Laboratory is a leader in the forensic application of DNA identification technology. In 1996, the FBI began a major initiative to relocate the FBI Laboratory from its present location in the FBI Headquarters building to a new, stand-alone facility. For 1997, the Forensic Services program requires \$66,980,000 and 678 positions, including a program increase of \$2,850,000.

Among the investigative services managed and provided by the FBI Laboratory is the translation of written and oral communications through the use of both qualified FBI language specialists and contract linguists. The FBI, Drug Enforcement Administration, and United States Attorneys are targeting the four most significant MDTOs under the SWBP. Among the investigative techniques to be used against these drug trafficking organizations will be court-approved electronic surveillance. Contract linguists are required to assist SWBP investigations by providing contemporaneous monitoring and translation of intercepted Spanish-language conversations and translation of seized records and other documents. Federal wiretap statutes require contemporaneous monitoring of intercepted conversations to comply with statutory requirements for minimization. Contemporaneous monitoring of target conversations is also required to effectively exploit time sensitive information regarding drug trafficking operations that is intercepted. Contract linguists are also needed to translate consensually recorded conversations involving cooperating witnesses, undercover agents, and case targets. A program increase of \$2,850,000 is required to acquire the services of contract linguists to support SWBP investigations.

Information Management, Automation, and Telecommunications

FBI investigations depend upon the collection, analysis, and sharing of investigative case and intelligence information. Coordination of investigative activities and administrative services among 56 field offices, approximately 400 local FBI offices, interagency task forces, 23 overseas Legal Attache posts, 4 regional computer and information technology centers, and FBI Headquarters requires the acquisition, operation, and maintenance of computer systems and telecommunications services. The Information Management, Automation, and Telecommunications program supports the FBI's information collection, storage, retrieval, and dissemination requirements. The ability to process large amounts of seized or subpoenaed documents, as well as store and retrieve on a timely basis intelligence and investigative information, is critical to each of the FBI's investigative and intelligence programs. Resources provided in this program are also used to develop specialized investigative, intelligence, and administrative information systems to support FBI mission requirements. Additionally, the FBI conducts name searches, on both a fee and non-fee basis, of its central records system for other Federal agencies, State and local law enforcement, Congressional committees, Federal courts, and select foreign law enforcement and intelligence agencies. For 1997, the Information Management, Automation, and

Telecommunications program requires a total of \$168,438,000 and 1,074 positions, including a program increase of \$3,327,000 and 129 positions.

Resources provided in the Information, Management, Automation, and Telecommunications program support the FBI's Freedom of Information/Privacy Act (FOIPA) program which facilitates the lawful public access to FBI records. The volume of requests submitted to the FBI under the FOIPA greatly exceeds the ability of the FBI to process these requests on a timely basis and in compliance with statutory requirements. Additionally, other factors outside the control of the FBI have contributed to a backlog of requests, including changes in processing rules requiring further cases reviews, litigation over disclosure of file information, and court-imposed deadlines. The FBI has a backlog of 15,000 requests, representing in excess of 2,500,000 pages of materials, for processing under the FOIPA. Additionally, compliance with Executive Order 12958, issued in October 1995, requires the review of approximately 76,936,500 pages of classified national security information to comply with declassification requirements. To reduce the backlog of FOIPA requests and perform the timely review of classified materials, the FBI requires a program increase of \$3,327,000 and 129 positions in 1997.

Technical Field Support and Services

The Technical Field Support and Services program provides resources to acquire, install, operate, and maintain technical and related investigative support equipment and services, such as the FBI's nationwide digital voice privacy radio system, other specialized radio communications, physical and electronic surveillance, advanced telephony, tactical operations, forensic examinations of audio and video recordings and devices, and crisis response. Through this program, the FBI also provides specialized technical training to agents and electronics technicians. This program also encompasses the activities and staff of the Engineering Research Facility located at the FBI Academy, Quantico, Virginia. Program resources also permit the acquisition of automobiles and general office equipment and furniture for use by FBI personnel. For 1997, the Technical Field Support and Services program requires \$130,343,000 and 292 positions, including program increases totaling \$19,845,000 and 68 positions.

The FBI uses a variety of technical equipment to aid agents conducting criminal and counterterrorism investigations. For example, agents increasingly rely upon the availability and use of closed circuit television systems for conducting surveillances, recording devices and transmitters for monitoring conversations between cooperating witnesses and targets, and hand-held, mobile, and base radios for tactical communications during raids, the execution of arrests at multiple locations, and surveillances. The FBI also provides technical equipment and assistance to multi-agency task forces. Technical equipment often serves as part of a critical safety net to agents who must operate under life-endangering or in high-risk situations. FBI field offices are equipped with computer workstations, local area networks, and telecommunications equipment that facilitate both inter and intra-office communications and information sharing. The value of technical equipment and services to investigators is directly dependent upon its availability and

operability. Increasingly, field electronic technicians are directly involved in the planning and execution of operations due to the complexity of some technical systems being deployed and the need to insure the systems functions properly. Installation, operation, and maintenance of FBI technical equipment is currently provided by 336 field electronic technicians. However, the workload of field electronics technicians is increasing as a result of the acquisition of additional computer workstations, other technical equipment, and the requirement to perform scheduled maintenance of equipment and systems. To provide necessary technical support to investigative and counterterrorism operations, the FBI requires an additional 68 field electronics technicians and \$11,511,000 in 1997.

One of the more basic tools required by FBI Agents and investigative support staff are automobiles. Automobiles are needed to respond to crime scenes, assist in the investigation of criminal activities, conduct surveillances, and maintain liaison with other Federal, State, and local law enforcement agencies located throughout the territory covered by 56 FBI field offices and nearly 400 regional offices. The availability of automobiles for agents is adversely affected by the continued operation of older vehicles that exceed recommended replacement thresholds. While the General Services Administration recommends replacement of vehicles every 3 years or 60,000 miles, the FBI currently operates 1,650 vehicles with mileage that exceed 8 years or 80,000 miles. The continued use of these older, less-reliable, high-mileage vehicles results in increased maintenance costs due to excessive wear and tear. These vehicles also present a safety risk to operators who may find themselves involved in a high-speed chase or similar emergency, time-critical response situation. To correct this situation, the FBI requires \$8,334,000 to begin a three-year initiative to replace vehicles that exceed 8 years of age or 80,000 miles.

Criminal Justice Services

Through the Criminal Justice Services program, the FBI provides fingerprint identification and related criminal justice information services to the Federal, State, local, and international criminal justice community. The availability of timely and accurate information is important to many facets of the criminal justice process. This information is used as a basis for arresting persons, determining positive identifications of fugitives, preparation of indictments under repeat offender and other career criminal statutes, issuing sentences to convicted offenders, and performing criminal record checks to verify the eligibility of persons purchasing handguns. In 1995, more than 9.6 million fingerprint cards were submitted to the FBI for classifying and processing, along with 7.9 million criminal history records and 5.2 million disposition reports. Additionally, the National Crime Information Center (NCIC) system handled nearly 575 million transactions. Two major, multi-year information technology initiatives are underway to improve services provided by the Criminal Justice Services program. The NCIC 2000 initiative will completely replace the existing NCIC with a new system that provides advanced and expanded functionalities requested by users. The Integrated Automated Fingerprint Identification System (IAFIS) initiative will provide more timely responses, more reliable search capabilities, additional functionalities, and improved productivity. The goal of the IAFIS system is a 24-hour turnaround of requests, compared to the current average of 32 days. The relocation of the FBI's Criminal Justice Information Services Division continues to progress as functions are migrated from

Washington, D.C., to the new fingerprint identification facility in Clarkburg, West Virginia. Approximately 50 percent of the Division's staff is now assigned to Clarkburg. For 1997, a total of \$200,151,000 and 1,792 positions are required, including a program increase of \$8,250,000.

Since the initial contract award for NCIC 2000, the criminal justice community has requested the establishment of several new NCIC files that must also be included in the new NCIC 2000 system. For 1997, the FBI requires \$8,250,000 to modify the NCIC 2000 contract to add two new files. The Deported Felon File (\$5,250,000) would provide law enforcement officers with the ability to determine if a suspect is a previously deported criminal felon who is barred from re-entering the United States. The suspect would be subject to incarceration and deportation unless the Immigration and Naturalization Service has granted approval for re-entry. This file will help prevent deported aliens with felony records from re-entering the United States to commit crimes. The Protection Order File (\$3,000,000) will provide law enforcement officers access to protection orders issued against persons in domestic violence and stalking cases. The Violence Against Women Act of 1994, adopted as part of the Violent Crime Control and Law Enforcement Act of 1994, authorized the dissemination of this information through the NCIC system.

Management and Administration

The Management and Administration program supports national and organizational leadership, policy development, and direction, control, and administration of FBI personnel and financial resources. Among the organizational components in this program are: the Director's Office, Office of Public and Congressional Affairs, Office of General Counsel, Office of Equal Employment Opportunity Affairs, Personnel Division, Finance Division, and Inspection Division. For 1997, a total of \$116,330,000 and 1,302 positions is required. No program increases are requested.

Federal Bureau of Investigation
Salaries and Expenses
Justification of Proposed Changes in Appropriation Language

The 1997 budget estimates include proposed changes in the appropriation language listed and explained below. New language is underscored.

Salaries and Expenses

For necessary expenses of the Federal Bureau of Investigation for detection, investigation, and prosecution of crimes against the United States, including purchase for police-type use of not to exceed 2,706 passenger motor vehicles, of which 1,945 will be for replacement only, without regard to the general purchase price limitation of the current fiscal year, and hire of passenger motor vehicles, acquisition, lease, maintenance, and operation of aircraft, and not to exceed \$70,000 to meet unforeseen emergencies of a confidential character, to be expended under the direction of, and to be accounted for solely under the certificate of the Attorney General: \$2,548,581,000, of which not to exceed \$1,850,000,000 for automated data processing and telecommunications and technical investigative equipment and (2) \$1,000,000 for undercover operations shall remain available until September 30, 1998, and of which (1) not to exceed \$14,000,000 for research and development related to investigative activities and (2) \$84,000,000 for the automation of fingerprint identification services and related costs shall remain available until expended, and of which not to exceed \$45,000 shall be available for official reception and representative expenses. (28 U.S.C. 524, 531-37, 18 U.S.C. 1052, 1059, 22 U.S.C. 4081, 4084.)

Note: A regular 1996 appropriation for this account had not been enacted at the time this budget was prepared. The 1996 amounts included in this budget are based on the levels provided in three continuing resolutions: P.L. 104-91, P.L. 104-92, and P.L. 104-99.

**Federal Bureau of Investigation
Expenditures and Expenses
Comparison of 1994 Changes
(Values in thousands)**

Activity/Program	1994 President's Budget Request			Congressional Action on 1994 Request			AD in NY			Transfers Between Accounts			Reprogramming			1994 Appropriation Assigned		
	Pos.	NY	Am.	Pos.	NY	Am.	Pos.	NY	Am.	Pos.	NY	Am.	Pos.	NY	Am.	Pos.	NY	Am.
1. Criminal Security and Other Investigations																		
a. Organized Criminal Enterprises	3,774	3,773	\$346,632	--	(234)	(211,963)	(32)	--	--	--	5	--	--	--	--	3,774	3,698	\$24,047
b. White Collar Crime	4,558	4,462	419,513	--	(10)	(1,341)	(54)	--	--	--	--	--	--	--	--	4,558	4,390	418,172
c. Other Field Programs	8,501	8,704	876,397	(257)	(665)	(52,863)	(119)	--	--	--	--	--	--	--	--	8,604	8,989	823,432
Subtotal	17,233	16,940	1,641,942	(257)	(732)	(76,201)	(205)	--	--	--	--	--	--	--	--	16,936	15,977	1,565,651
2. Law Enforcement Support																		
a. Training, Recruitment, and Applicant	851	826	89,999	--	(16)	(6,933)	(19)	--	--	--	20	--	--	--	--	851	811	83,064
b. Forensic Services	678	629	71,832	(145)	(145)	(27,399)	(66)	--	--	--	--	--	--	--	--	513	438	45,913
c. Information Management, Automation	945	912	164,632	--	--	(21,963)	(49)	--	--	--	--	--	--	--	--	945	964	136,643
d. Technical Field Support & Services	251	231	261,740	(27)	(10)	(21,363)	(49)	--	--	--	--	--	--	--	--	224	212	242,323
e. Criminal Justice Services	1,792	1,803	191,208	(179)	(59)	(15,564)	(119)	--	--	--	--	--	--	--	--	1,613	1,612	206,565
Subtotal	4,517	4,405	721,444	(179)	(243)	(104,317)	(223)	--	--	--	20	--	--	--	--	4,233	3,998	536,907
3. Program Director																		
a. Management and Administration	1,302	1,277	106,625	--	--	--	(24)	--	--	--	--	--	--	--	--	1,302	1,223	106,625
Total	23,062	22,631	2,472,011	(489)	(977)	(240,826)	(460)	--	--	--	25	--	--	--	--	22,563	21,199	2,211,183

Congressional Actions:

Under Salaries and Expenses (S&E), the Congress added the following increases for 1996: \$3,030,000 for the Legal Attache program¹; \$1,400,000 and 22 positions and 11 workyears for staffing of the FBI Command Center²; \$4,201,000 for tactical operations (National Security Dedicated Technical Program); and \$22,000,000 from the Working Capital Fund for NCIC 2000.

Program increases that were requested in the President's budget under S&E but were funded by Congress under the Violent Crime Reduction Program (VCRP) include: \$9,900,000 for laboratory equipment modernization; \$2,900,000 for Evidence Response Teams; \$20,790,000 for tactical operations (President's request under S&E was \$37,800,000); \$1,500,000 for the Hostage/Barricade database; \$3,500,000 for the NCIC Gang/Terrorist File; \$4,200,000 for the FBI's DRUGFIRE program (President's request under S&E was for \$600,000 for contract ADP services); and \$3,000,000 for aviation support (President's request under S&E was \$4,520,000).

The following program increases were requested in the President's S&E budget but denied by Congress: \$64,100,000 for the Advanced Telephony Program; \$1,000,000 for design and development of the new FBI Laboratory facility; \$2,000,000 for the International Law Enforcement Academy; \$3,000,000 for CIRG/Architectural and Engineering Plan; \$2,500,000 for Automation equipment/services; \$2,500,000 and 27 positions and 14 workyears to staff the Technical Support Center; \$1,600,000 for the Technical Support Center/Architectural and Engineering Plan; and \$21,420,000 and 111 positions and 141 workyears for Other Field Programs.

For 1996, Congress also denied annualization requested totaling \$28,737,000 and 480 workyears. This denial of annualization includes: \$16,029,160 and 253 workyears from Organized Criminal Enterprises; \$702,440 and 18 workyears from White Collar Crime; \$41,320 and 1 workyear from Training, Recruitment and Applicant; \$2,190,000 and 50 workyears from Criminal Justice Services; and \$9,774,080 and 158 workyears for Other Field Programs.

Congressional actions also includes a one-year transfer of \$103,882,000 and 373 positions and workyears from S&E to the VCRP.

¹ The President's 1996 budget included a request for \$420,000.

² The President's 1996 request was in the Construction account.

The one-year base transfer consists of: 1) \$639,000 from the White Collar Crime program; 2) \$4,892,000 from the Training, Recruitment and Applicant program; 3) \$13,539,000 and 165 positions and workyears from Forensic Services; 4) \$25,483,000 from the Information Management, Automation and Telecommunications program; 5) \$33,246,000 from Technical Field Support Services; 6) \$746,000 from Criminal Justice Services; 7) \$18,351,000 and 208 positions and workyears from Other Field Programs; and 8) \$6,986,000 from Organized Criminal Enterprises.

Transfer Between Accounts:

There was a one-year only transfer of 25 workyears from reimbursable to direct consisting of 5 workyears for the Training, Recruitment and Applicant program and 20 workyears for the Organized Criminal Enterprises program.

Adjustments in Workyears:

As a result of the delayed enactment of the 1996 appropriations, the capacity limits of the hirings and training systems, and the resulting delays in hiring, some workyears can not be used in 1996. For 1996, the reduction of 500 workyears came from the following programs: 52 workyears from the Organized Criminal Enterprises; 54 workyears from White Collar Crime; 19 workyears from Training, Recruitment, and Applicant; 26 workyears from Forensic Services; 48 workyears from Information Management, Automation and Telecommunications; 9 workyears from Technical Field Support and Services; 119 from Criminal Justice Services; and 119 workyears from Other Field Programs. Reprogrammings of funds made available by these hiring delays will be submitted as needed.

Federal Bureau of Investigation
 Remuneration Resources
 Statement of Resources
 (Dollars in thousands)

Collections by Source:	1995 Actual		1996 Estimate *		1997 Request*		Increase/Decrease	
	Pos.	WY	Pos.	WY	Pos.	WY	WY	Amount
Interagency Crime and Drug Enforcement	1,073	1,073	981	\$103,383	981	\$108,823	...	\$5,440
Asset Forfeiture Fund	...	...	...	18,560	...	18,560	...	...
Identification User Fee (Non-Federal)	633	483	633	448	633	448	...	...
Drug Enforcement	188	723	188	19,906	188	19,906	...	...
Name Check Program	746	447	746	41,002	746	41,002	...	...
Background Investigations	437	120	437	243	241	72	(196)	(3,762)
Latent Fingerprint	20	20	20	6,730	20	20	...	...
All Other	37	38	37	73,074	37	73,074	...	...
No Year	...	...	...	48,086	...	...	...	(48,086)
Budgetary Resources	3,134	2,704	3,042	339,470	2,848	290,832	(196)	(48,638)

*Includes the most recent financial plan.

Federal Bureau of Investigation
Reimbursable Resources
Summary of Resources
(Dollars in thousands)

Collections by Program:	1985 Actual			1986 Estimate			1987 Request			Increase/Decrease		
	Pos	WY	Amount	Pos	WY	Amount	Pos	WY	Amount	Pos	WY	Amount
Organized Criminal Enterprises.....	1,241	1,197	\$125,115	1,168	1,169	\$131,531	1,169	1,169	\$134,161	...	...	\$3,230
White Collar Crime.....	...	...	1,407	7	7	532	7	7	432	...	...	...
Other Field Programs.....	489	172	84,803	482	268	46,700	268	117	43,031	...	...	(3,669)
Training, Recruitment, and Applicant.....	...	...	14,011	...	...	8,987	286	117	5,184	(168)	(171)	(3,733)
Forensic Services.....	...	...	3,543	...	...	4,142	...	...	508	...	...	(3,636)
Information Management, Automation, and Telecommunications (IMAT).....	184	183	12,589	184	184	8,323	184	184	7,503	...	...	(820)
Technical Field Support and Services.....	2	2	42,360	2	2	804	2	2	804	...	...	...
Criminal Justice Services.....	1,196	1,197	73,229	1,195	1,011	97,828	1,195	1,011	61,666	...	...	(56,243)
Management and Administration (MAA).....	3	3	29,831	3	3	40,543	3	3	36,646	...	...	(3,697)
Budgetary Resources	3,134	2,704	368,818	3,042	2,864	359,470	2,848	2,483	280,862	(196)	(171)	(48,518)

* Includes the most recent financial plan.

Justification of Increases, Organized Criminal Enterprises (OCE):

This program's major objectives are to conduct coordinated investigations against major drug trafficking organizations and to implement the Regional Action Initiative. ICDE task force resources receive reimbursements from the ICDE appropriation. The FBI is reimbursed 7% personnel assigned to the National Drug Intelligence Center (NDIC). NDIC coordinates and consolidates drug intelligence from all national security and law enforcement agencies.

**Federal Bureau of Investigation
Salaries and Expenses
User Fee Information
(Dollars in thousands)**

Collection by Program	1995 Actual			1995 Estimate*			1997 Request*			Increase/Decrease	
	Pos	WY	Amount	Pos	WY	Amount	Pos	WY	Amount	WY	Amount
Information Management											
Federal Name Check	184	183	88,032	184	184	87,503	184	184	87,503	..	..
Federal Name Index	832	445	28,022	832	445	28,022	832	445	28,022	..	..
Federal User Fee	562	654	24,135	562	652	33,489	562	562	33,489	..	..
Total Costs, FBI	1,578	1,330	140,189	1,578	1,281	149,014	1,578	1,191	149,014	..	..
*Includes the most recent financial plan.											

Information Management

Federal Name Check Program

The Federal Name Check program was authorized by Congress in November 1989, and began on January 1, 1990, with a fee charged for processing name checks against the FBI's Central Records Index for Federal Agencies for non-criminal justice and non-law enforcement purposes. At the inception of the program, an automated name check resulting in no record cost \$0.50 as did an indices check. A computer search cost \$8.00, while a manual search cost \$8.50.

Each year the fee is determined by reviewing all costs associated with providing the service. These costs include personnel and non-personnel items, such as equipment, supplies, rent, communications, utilities, travel, maintenance, and other miscellaneous services. All costs incurred by the FBI are recovered by the user fee. The user fees associated with the Federal Name Check program were increased in 1992 as follows:

Fee Schedule: Information Management Program

Automated input/name check of Central Records:	
Immediate no record result	\$1.40
Indices popular (record)	\$10.65
Manual input/name check of Central Records Index:	
All submissions	\$12.00
Telephone expedite	\$22.35

Non-Federal Year End:

Non-Federal Year End:

Each year this fee is determined by reviewing all costs associated with providing the service. These costs include personnel time, such as salaries, benefits, training, and recruiting, as well as non-personnel items, such as equipment, supplies, rent, communications, utilities, travel, maintenance, and other miscellaneous services. All costs incurred by the FBI as a member of the FBI are recovered by the FBI. Since initiation of the Non-Personnel Fee Program, the fee for processing fingerprint cards has increased from the initial fee of \$12.00 in 1962 to \$17.00 in 1963 and to \$18.00 in 1964. As of the October 1965 fee, the increase charging agencies were able to obtain \$2.00 of the fee to offset handling costs. Additionally, the FBI received authorization to add a surcharge to the fee to support the automation of fingerprint identification service. Beginning in 1966, the fee was increased. Besides the fee to the current level of \$24.00.

been allowed to retain \$2.00 of the payment to offset remaining costs.

Fall Schedule- Criminal Justice Bachelor Program

Fingerprint card processing fee (Non-Federal).....	\$18.00
Special use fee surcharge (Non-Federal).....	\$6.00
Fingerprint card processing fee (Federal).....	\$18.00
Identification records name search.....	\$2.00
Automated or manual.....	\$4.00
Name search with fingerprint card.....	\$6.00
Name search submitted on paper.....	\$6.00
Name search with fingerprint card for verification.....	\$6.00

Federal Bureau of Investigation
Salaries and Expenses
Program Performance Information
Government Performance and Results Act Requirements

MISSION: The mission of the FBI is to uphold the law through the investigation of violations of federal criminal law; to protect the United States from foreign intelligence activities; to provide leadership and law enforcement assistance to federal, state, local, and international agencies; and to perform these responsibilities in a manner that is responsive to the needs of the public and is faithful to the Constitution of the United States.

ORGANIZATIONAL GOALS

1. Investigate violations of the laws of the United States within FBI jurisdiction, collect evidence in domestic and international cases in which the United States is or may be a party of interest.
2. Collect, analyze, and exploit information to identify and neutralize the activities of foreign powers and their agents, and domestic entities, that adversely affect the United States' national security through counterintelligence, counterterrorism, and security countermeasures investigations.
3. Provide forensic, identification, information and training services external to the FBI.
4. Provide effectively and efficiently those supporting services necessary to the accomplishment of the FBI mission.
5. Provide effective national and organizational leadership, as well as, effective direction, control and administration of resources.

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**Federal Bureau of Investigation
Salaries and Expenses
Justification of Program and Performance
(Dollars in thousands)**

Organized Criminal Enterprises	Perm. Pos.	ETB	Amount
1996 Appropriation Anticipated	3,774	3,498	\$324,047
1997 Base	3,774	3,731	360,249
1997 Estimate	3,886	3,787	377,221
Increase/Decrease	112	56	16,972

LONG-RANGE GOALS:

To eliminate the La Cosa Nostra (LCN), Asian, Italian, European, Eurasian, South American, Mexican, African and other international and domestic organized crime groups as significant threats to American society and to reduce the incidence of illegal drug trafficking, other criminal activity, and violence which drug trafficking generates in American society through sustained, coordinated investigations that support successful prosecutive action.

To improve the liaison program of the FBI both domestically and internationally to insure accomplishment of FBI responsibilities and provide training and instruction to overseas law enforcement.

MAJOR OBJECTIVES:

To penetrate the hierarchy of the South American, Mexican, Asian, European, Eurasian, Italian, LCN, African, and other organized crime groups by identifying the structure and membership of these groups in an effort to determine their connectivity in criminal activity and the extent of interrelationships among other organized crime groups, thereby developing successful prosecutions for specific Federal violations, including the Racketeer Influenced Corrupt Organizations (RICO) and the Continuing Criminal Enterprise (CCE) statutes.

To continue to conduct effective, coordinated investigations against major criminal enterprises in accordance with the FBI's National Strategy Against Organized Criminal Enterprises with the ultimate objective of disrupting and dismantling networks involved in the violation of Title 18 and 21 of the United States Code, arresting the hierarchy of those organizations, and utilizing the money laundering statutes to seize their ill-gotten assets for eventual forfeiture.

To expand existing liaison with appropriate domestic and international organizations and agencies to support increasing investigative responsibilities of the FBI

BASE PROGRAM DESCRIPTION The 1997 base reflects a transfer of \$6,986,000 from the Violent Crimes Reduction Program (VCRP) to Salaries and Expenses. The 1996 Congressional appropriation included an unspecified transfer from Salaries and Expenses to the VCRP; the FBI applied a portion of this one year only action to OCE.

Organized crime is a continuing and self-perpetuating criminal conspiracy, employed by groups that are hierarchical in structure, fed by fear and corruption, and motivated by the potential generation of profits, impacting particular locales/regions or the nation as a whole. Organized crime groups maintain their position through the use of violence or threats of violence, corruption of public officials, and extortion. The objective of the FBI and Department of Justice (DOJ) Organized Crime/Drug National Strategies is to eliminate significant organized crime groups as threats to American society. At the core of the FBI's OCE Program is the recognition that the greatest impact on organized crime/drug problems is achieved by concentrating investigations on the major domestic and international criminal organizations and regional groups which control significant segments of the illegal activities in the United States.

Personnel resources assigned to the OCE Program are focused in an organizationally based, intelligence driven approach to fully identify and ultimately disrupt and dismantle criminal organizations, rather than concentrating investigative efforts on specific violations or individuals. Additionally, OCE investigations focus on money laundering and financial flow activities leading to seizure and forfeiture of assets and profits derived from illegal activities.

The OCE Program addresses the major domestic and international criminal organizations which control significant segments of the illegal activities in the United States.

Employing the FBI's Enterprise Theory of Investigation, OCE Program strategic investigative plans have realized many successes against organized crime groups. However, in spite of these successes, many groups continue to maintain control over criminal activities in the United States and abroad. For example, while 20 percent of the known current LCN members stand convicted of criminal charges and are incarcerated, the remaining membership and the thousands of associates are continuing their organized criminal activities and influence. The recent prosecutive successes against the LCN hierarchy have forced traditional LCN members and criminal associates to adapt their enterprises towards thwarting the usual investigation strategies used against them. As an example, LCN involvement in labor unions remains influential due to the LCN's stated ability to adapt to the currently applied investigative strategies. The reorganization of OCE resources with a renewed interest in LCN activities provides the most effectual eradication of LCN influence remaining in the major U.S. cities. In addition, the emergence in recent years of the other organized crime groups, such as Russian/Eurasian organizations, is straining the FBI's base level OCE Program resources and has presented the possibility that these groups, if not thoroughly addressed, will gain a stronger foothold in the United States and become even more costly to dismantle.

To provide an idea of the extent of the Russian/Eurasian organized crime threat, the Russian Ministry of the Interior estimates that there are more than 5,600 Russian organized crime groups, of varying sizes and structures, operating in Russia. These groups consist of approximately 100,000 active participants with almost 30,000 leaders. Approximately 300 of these groups operate internationally with an estimated 24 groups either conducting activities in the United States or asserting a criminal influence. Russian organized crime groups are roughly ten times larger than the current population of La Cosa Nostra members and associates operating in the United States today.

Russian organized crime groups control all racketeering activities in the Baltic States through the infiltration and corruption of all levels of government. These groups are not only connected to other Russian organized crime groups in Western Europe, but to groups active in the United States. A significant trade in precious metals, untaxed cigarettes and narcotics is known to be prolific in this region.

In September 1994, the FBI and the Drug Enforcement Administration (DEA) agreed to target jointly the four most significant Mexican criminal enterprises impacting the United States through an investigative initiative entitled the Southwest Border Project (SWBP). The strategy of the SWBP is to employ court-ordered electronic surveillance on the most significant of communication devices to determine the scope of the organizations as well as disrupt and dismantle them. The SWBP involves investigative efforts in nine FBI field offices.

The base reflects a transfer of \$5.3 million for Undercover Operations from the Violent Crime Reduction Program to Salaries and Expenses.

The International Relations Section (IRS), Criminal Investigative Division (CID), is responsible for foreign liaison, liaison with Interpol and over 70 Washington, D. C. based foreign police and security/intelligence officials, foreign police cooperation matters, the coordination and assessment of international training, and the oversight of the Legal Attache Program. At present, IRS, CID, supervises the foreign liaison activity of 23 Legal Attache offices staffed by 124 employees, and liaison offices in Honolulu, Miami, and San Juan staffed by five liaison officers. Additionally, the IRS hosts over 2,000 visiting foreign officials each year and coordinates foreign police requests for FBI investigative assistance.

In the 1996 conference agreement, \$3,450,000 in nonpersonnel funding was identified by Congress for Legat expansion pending approval of a long-range plan detailing the FBI's international operations and activities.

The following are case examples of the types of investigations being conducted within the OCE Program:

In September, 1993, a Federal Grand Jury (FGJ) in the Southern District of Texas returned an indictment against Juan Garcia Abrego and seven of his principal associates. These, as well as 93 additional indictments, were based on multiple FBI investigations conducted in conjunction with DEA and the United States Customs Service, the first of which was initiated in 1990. Abrego is the leader of a major Mexican drug trafficking organization based in Tamaulipas, Mexico. Abrego interacts directly with the hierarchy of the Cali cartel and is responsible for the importation of multi-ton quantities of cocaine and marijuana, as well as multi-kilogram quantities of heroin, into the United States and conveys bulk quantities of United States currency derived from drug sales back to Mexico. The Juan Garcia Abrego Organization (JGAO) has been implicated in the assassinations of Mexican presidential candidate Donaldo Colosio and Secretary General of the Central Committee Jose Francisco Ruiz Massieu, brother of Deputy Attorney General Mario Ruiz Massieu. Since the indictments, several Abrego associates have been arrested including his primary lieutenant, Luis Medrano, who is incarcerated in Mexico. In October 1994, Department of State approval was obtained to offer a reward for Abrego's arrest in an amount up to \$2 million and on March 8, 1995 Abrego was designated an FBI Top Ten Fugitive. Juan Garcia Abrego was arrested in Monterrey, Mexico, on January 14, 1996, by members of the Instituto Nacional Comair de Drogas (INCD). On January 15, 1996, Abrego was flown to Houston, Texas, in the custody of several Mexican Federal Judicial Police and Immigration officials and was turned over to U.S. officials for prosecution.

The San Juan "GOLDEN TRASH" investigation was an undercover operation targeting members of a Colombian drug trafficking organization operating in the Caribbean Basin. This organization was responsible for the monthly importation of over 10,000 kilograms of cocaine into the United States and laundering of over \$2 million. In December 1994, this investigation resulted in the indictment of 52 individuals, making it the largest indictment filed in the district of Puerto Rico, and in December 1995, a superseding indictment was filed charging an additional 40 individuals for drug violations.

The New York COCOLOAZO investigation is a multi-office investigation of a significant Colombian international money-laundering/drug trafficking organization which the FBI's Los Angeles field office is conducting in conjunction with the New York City Police Department (NYCPD) and DEA. It is estimated that during the last two years, this organization has laundered in excess of \$200 million worldwide. Members of this organization operated in New York City, Los Angeles, Miami, Germany, Zurich, Switzerland, and Cali, Colombia. The individuals involved in this money laundering organization included a NYCPD officer, a New York City fire fighter, a rabbi, a stockbroker, bankers and two New York City attorneys. During December 1994, 23 defendants were indicted. Eighteen of the subjects have been arrested in the U.S., Germany and Colombia. On July 13, 1995 additional subjects were arrested and charged with money laundering violations. Seizures to date total over \$5 million dollars. Trial is pending in this matter.

A undercover operation "Island Green," was a coordinated multi-divisional/multi-agency initiative targeting Jamaican organizations in the Southern District of Florida. During this undercover operation, 45 conveyances and 6 weapons were seized. In September 1995, a total of 100 subjects were arrested on various immigration and drug violations and are currently awaiting trial.

On November 2, 1995, Roy Mack West, head of a regional Drug Trafficking Organization (DTO), was sentenced to life imprisonment for operating a Continuing Criminal Enterprise (CCE). Approximately 123 subjects have been indicted in the Northern District of Alabama, and over \$2,700,000 in cash and property has been seized. This case entitled, "SANDMOUNTAIN GLOOM," focused on well entrenched DTOs operating in the border regions of Alabama, Georgia and Tennessee. These DTOs were comprised of close-knit family enterprises which had historically been involved in counterfeiting and bootlegging, and had evolved to drug trafficking as their primary criminal activity.

On December 13, 1995, Franco Michael Mangiafico, a.k.a. "Tony Franco", was sentenced in the Middle District of Florida to 22 years incarceration, following his conviction in March 1995 for RICO, Distribution of Heroin, and Travel Act violations. Mangiafico's conviction was the latest for 26 subjects indicted in April 1993 on drug trafficking and money laundering charges in the Tampa case entitled "Car's Eye." This matter targeted the Matri/Commissio faction of the 'Ndrangheta Italian Organized Crime (IOC) group operating a drug trafficking and money laundering ring between Rhode Island, New York City and Southern Florida. It represented the first time in the United States that the 'Ndrangheta was named as a CCE in a RICO prosecution. To date, 14 defendants have been convicted; 2 are fugitives; 7 are awaiting extradition from Canada; 1 died of a heroin overdose during the final days of the investigation; and 1 subject was acquitted.

On December 13, 1995, General Executive Board attorney Robert Luskin filed an Internal Labors International Union of North America (LIUNA) Complaint for Trusteeship, charging that for the last 25 years the Buffalo La Cosa Nostra (LCN) has exercised considerable influence, if not complete control, over the affairs of the 1,300 member LIUNA 210 and, as a result, the local and its members have been victimized by the corruption of organized crime. Luskin identified 22 members and associates of the Buffalo LCN as having a leadership role in the local. Luskin took this step as part of the internal reform being implemented within LIUNA pursuant to the February 13, 1995, agreement with DOJ that avoided a Government imposed trusteeship.

On June 16, 1995, Richard Pagliarulo, r capo in the Luchese LCN family, was sentenced to a term of life in prison with no chance of parole. Pagliarulo was convicted for being the "shooter" in four homicides and an active participant in five other LCN related murder conspiracies. Pagliarulo has been directly implicated in the March 1995 shooting of Patricia Capozzalo, sister of Peter Chiodo, a cooperating witness for the government and a former Luchese Capo. Pagliarulo, a former member of Chiodo's crew, participated in the attempted murder of Chiodo in May 1991.

In June, 1995, the New York FBI indicted and arrested seven members of the Vyacheslav Kirillovich Ivankov Russian organized crime group for violations of Interference with Commerce by Threats or Violence. Vyacheslav Kirillovich Ivankov, a.k.a. "Yaponchik," has been identified as a member of one of the largest Russian Organized Crime Groups in Russia and was reportedly in charge of Russian organized crime operations in the United States.

A joint four-year investigation captioned "SUNBLOCK" was conducted by the FBI in New York, Newark and Detroit, along with the Bureau of Prisons, NYCPD, Immigration and Naturalization Service, Somerset County, New Jersey prosecutor's office, and the Royal Canadian Mounted Police. Subjects were members of a large and lucrative heroin trafficking organization headed by Bing Gong Yong (Gong). Gong directed the heroin trafficking activities while incarcerated in various Federal prisons throughout the U.S. Gong arranged for the distribution of heroin from Chinese importers to customers, many of whom were incarcerated in prisons throughout the United States. Keat Fah Chai was Gong's primary operative outside of prison and was responsible for running Gong's heroin business from several Chinese restaurants in Bedminster, New Jersey. On September 18, 1995, FBI New York arrested Bing Gong Yong, Keat Fah Chai and three others pursuant to a warrant issued by the Eastern District of New York (EDNY) charging them with drug trafficking.

PROGRAM CHANGES:

INITIATIVE: Southwest Border
Organized Criminal Enterprises Field Investigations

Perm. Pos.	ETE	Amount
104	52	\$8,410

The Southwest Border Project (SWBP) is a joint FBI/DEA initiative targeting the four most significant Mexican Drug Trafficking Organizations (MDTOs) including Juan Garcia Abrego Organization (JOAO), Amado Carrillo Fuentes Organization (ACFO), Arellano Felix Organization (AFO), and Caro Quintero Organization (CQO). In addition to targeting the aforementioned core organizations, SWBP also addresses white-collar crime, public corruption, violent crime and various other criminal violations arising as a result of the drug trade. The SWBP is being coordinated with the respective U.S. Attorney's Offices and the appropriate entities at the DOJ. In 1996, there are 198 FBI agents assigned to Southwest Border cases.

Mexican criminal enterprises are one of the top investigative priorities of United States law enforcement and represent an increasing crime, economic, and public safety threat to the United States. MDTOs are involved in the trafficking of bulk quantities of cocaine, marijuana, and heroin, as well as the money laundering of drug proceeds. Although drug trafficking is a multi-billion dollar industry, these Mexican organizations do not limit the scope of their criminal activity to this one violation.

Nineteen core level MDTOs have been identified as representing the greatest threat to the United States. MDTOs are primarily interconnected groups built around familial and regional relationships. Core level MDTOs dominate multiple phases of drug trafficking from production to distribution. They operate internationally and frequently direct subordinate organizations at the secondary and local levels of the enterprise. Core MDTOs promote corruption through a combination of intimidation and violence, as well as providing substantial monetary support to preferred political candidates in order to gain direct influence.

Due to their involvement in a variety of organized crimes and the expanse of shared borders between the U.S. and Mexico, the MDTOs have developed ties with other international criminal enterprises. The primary international connection is between the Mexican criminal enterprises and the Colombian Cartels. In other words, if an MDTO transports 10,000 kilograms of cocaine into the United States for a Colombian organization, it will receive 5,000 kilograms of the drugs as payment. Hence the MDTO is not only involved in trafficking the drugs, but also becomes a distributor in the United States. The collaboration has become so strong that the most reliable MDTOs are offered a 50-50 partnership with the Colombian Cartels. The overwhelming wealth derived from this partnership has changed the primary focus of the MDTOs from marijuana and opium cultivation to the transshipment of Colombian cocaine. Additionally, MDTOs are interacting with Italian, Asian, and Nigerian criminal enterprises by providing transportation services, storage facilities, and access to corrupt political and law enforcement officials to facilitate the transportation of drugs, contraband and illegal aliens. For example, the ACFO is believed to be deeply involved in the smuggling of illegal Chinese aliens.

It is estimated that 70 percent of the cocaine which is smuggled into the United States today is shipped through Mexico by core level MDTOs. Although cocaine has become the primary drug being trafficked by the MDTOs, there is no evidence to indicate that MDTOs are decreasing marijuana and heroin production. MDTOs control the direction of multi-ton quantities of cocaine and marijuana and hundreds of pounds of Mexican heroin to other Mexican transportation and distribution networks. These networks in turn have

responsibility for smuggling operations into the United States for a variety of client organizations. Mexico continues to be the source of most of the foreign marijuana available in the United States. There is also evidence to indicate that heroin consumption in the United States is substantially on the rise, and as a result Mexican heroin (brown and black tar) dominates the heroin market in the western United States. MDTO involvement in methamphetamine is also a significant threat, as the drug's availability in the United States has increased substantially.

Imprisonment of leaders and other factors, such as turf wars and dissolved alliances, have contributed to increased violence and the fracturing of Mexican cartels. However, circumstances have not diminished the volume of drugs being trafficked through Mexico by the remaining independent organizations. Despite the violent attacks and counterattacks being launched between organizations, the flow of multi-ton cocaine shipments into the west coast of Mexico and the United States has not diminished. In fact, a noticeable increase in seizures has occurred, indicating that competition between the organizations has served only to increase the volume of drugs.

Foreign language translation support is extremely critical to SWBP investigations due to the international nexus of all of the targeted organized criminal groups which are the focus of the SWBP. This request includes an additional 21 Language Specialist (LS) positions. LSs play a key role in the SWBP. Consensual recordings and court ordered electronic surveillance pursuant to Title IIIs will be the primary weapons arrayed against the various target MDTOs to gather evidence of conspiratorial activities and collect time critical intelligence facilitating seizures, arrests, and other enforcement actions which disrupt their operations. Title III implementation requires contemporaneous monitoring to accomplish statutorily required minimization. Operationally, contemporaneous monitoring is essential to exploit effectively time critical information. LSs can staff monitoring positions utilizing their language proficiency while relieving language capable agents for utilization in investigative and enforcement operations. LSs play critical support roles through the translation and transcription of Title III intercepts and consensually monitored recordings. Translation and transcription of such recordings is highly advantageous in the investigative phase and indispensable in the pretrial phase when the government must comply with discovery requirements relating to the production of documentation for the defense which will be relied on at trial. Typically these recordings are voluminous, and timely, accurate translation is essential to successful prosecution.

Without the additional resources to support the SWBP, the FBI would be unable to identify, target, and dismantle effectively the major Colombian/Mexican Criminal Enterprises operating along the Southwest Border of the United States. This inability would enable these groups to continue moving hundreds of tons of cocaine into the United States, which is the driving force behind much of the violent crime in this country.

An additional 50 agent and 14 support positions and \$8,410,000 would enable the FBI to continue the SWBP initiative by identifying and targeting the most significant drug trafficking organizations and the impact of their trafficking in specific areas of the country. The Southwest Border cases will include field offices beyond the border itself, as these groups are engaged in trafficking and partnerships with other trafficking organizations throughout the United States. These resources would be allocated among the following field offices: Albuquerque, Chicago, Dallas, El Paso, Houston, Los Angeles, Phoenix, San Antonio, San Diego.

INITIATIVE: International Law Enforcement Legal Attache/International Training	Perm. Pos.	ETE	Amount
	8	4	\$3,562

Legal Expansion -

International criminality is a major problem facing law enforcement in the 1990s. To address this challenge, the FBI has developed a multi-year plan for expanding its Legal Attache program into additional countries to facilitate investigations of terrorism, organized crime, drugs, white-collar crime, violent crime and national security matters. The FBI has forwarded this proposal to the Department of Justice and Department of State for their review.

Once this plan has received Administration and Congressional approval, funding appropriated in 1996 (\$3,450,000) will be used for nonpersonnel costs associated with Legal Attache expansion. In addition to this funding, an increase of four Agent positions (two workyears), four support positions (two workyears) and \$1,172,000 is requested in order to provide staffing for the new Legal Attache offices.

The Legal Attache program is essential to the development of effective working relationships with foreign law enforcement worldwide. In past years, the existing Legal Attache Program has enabled the FBI to meet its international responsibilities in organized crime, drugs, and other criminal matters effectively and expeditiously. However, as domestic FBI investigations continue to require more evidence and information from sources outside the United States, FBI executive management has determined there is a critical need for the establishment of additional Legal Attache offices. Among the offices which the FBI proposes to open in the future are Beijing, Buenos Aires, Cairo, Copenhagen, Islamabad, Kiev, New Delhi, Tallin, and Tel Aviv.

In the past, the FBI has opened Legal Attache offices from within existing resources; however, this practice is not a reliable source of funding. Operating expenses are much more today than in past years. Security considerations have also driven up costs in specific areas of the world. Current real estate costs have also dramatically increased over the last several years for employee housing. The overall result is that the FBI can no longer simply agree to absorb Legal Attache operating costs from internal funding reallocations and/or reprogrammings.

The FBI does not envision Legal Attache offices in every major foreign city. The decision to open an office is driven by the impact international crime is having upon the United States. Organized crime from the former East Bloc and the enhancement of communications facilities available to criminals have exploded in the last few years. This development has had an impact upon domestic crime. The FBI has found that its traditional manner of conducting dialogues overseas has suddenly become inadequate to address these burgeoning criminal problems. To fulfill its domestic mission, the FBI has no recourse but to enhance our ability to develop working relations with our law enforcement counterparts in other regions of the world.

In 1997, the FBI is requesting \$644,000 to support four agents and four support employees for the new offices and \$528,000 in annual recurring costs associated with maintaining these positions overseas once they are onboard. Below is a breakdown of nonpersonnel costs associated with the maintenance of these positions overseas.

(Annual Recurring Costs)	
Housing	
AGT. (\$50,000 x 4)	\$200,000
SPT. (\$35,000 x 4)	140,000
Travel	60,000
FAAS	124,000
Representational Funding	2,000
Supplies	2,000
Total	\$528,000

The estimates provided for foreign affairs administrative support (FAAS) are based upon the average cost charged per number of Legal Attache offices during fiscal year 1994. A firm estimate for FAAS is not known until the FBI formally discusses the services that would be required by the Legal Attache office at each new location with the post Administrative Counselor, Budget and Fiscal Officer, and the appropriate Bureau in the DOS.

To formulate estimates for overseas housing, the FBI consulted the Office of Foreign Buildings Operations, Real Estate/Real Property Section regarding average housing costs. Average annual housing costs were provided for employees at specific grade and position levels comparable to FBI employees. Because of the dollar's exchange rate and real estate markets overseas, these costs fluctuate over time.

International Training -

Since October 1994, the FBI has assisted foreign countries in the former Soviet Union and Eastern and Central Europe which are in need of criminal law enforcement training assistance and where the criminal activity has a nexus to the investigative mission of the FBI. Upon an invitation from the host country, the FBI conducts an assessment of the training needs for these countries and, thereafter, designs and delivers training and assistance programs. By providing training and assistance to foreign law enforcement in this manner, the FBI gains immeasurable benefits in unprecedented coordination of international investigations, while at the same time, improving the quality of the investigative product received from those countries. This training and assistance significantly enhances the development of criminal law enforcement institutions in these foreign countries by introducing western law enforcement investigative techniques applied under the rule of law.

During 1995, the FBI coordinated over 40 training and assistance initiatives for 12 foreign governments. Over 1,800 law enforcement officers received training and assistance in the first year of the FBI's training and assistance program. All training and assistance conducted to date has been funded through the Freedom Support Act (FSA) and the Support for Eastern European Democracies (SEED) programs. These programs are administered by the Department of State's (DOS's) Bureau of International Narcotics and Law Enforcement Affairs (INL). The INL, through the Interagency Working Group (IWG), coordinates all criminal law enforcement training and assistance provided by U.S. agencies under the FSA and SEED programs. Through reimbursable agreements, the FBI receives funding to conduct its training and assistance programs for the countries covered by the FSA and SEED programs.

Through the IWG, the FBI requested \$3.375 million from FSA and SEED programs to continue its training and assistance initiatives in 1996. To improve the administration and management of this program in 1997, the FBI is proposing that funding for the FBI's personnel, administrative, and operational costs be provided directly through the FBI's operating budget. These activities are directly related to the FBI's mission. There is a concern that the 1997 budget levels for the DOS's FSA and SEED programs may not allow the necessary funding for FBI's continued participation in this important initiative. It is difficult to plan on continuing the momentum of this training initiative with uncertainty in the funding process. Moreover, under the current funding arrangement, the FBI is forced to compete with all other federal agencies participating in the INL/IWG for DOS funding. Accordingly, the FBI is seeking direct independent funding for the international training programs. Based on the results received through the training provided in 1995, the FBI is optimistic that continuing this training initiative through 1996 and 1997 will yield even greater returns.

The FBI will, however, continue to request funding from the DOS through the FSA and SEED initiatives for those costs related to student participation in the seminars. These student costs represent travel and per diem and may be construed as foreign assistance and, therefore, should be provided from appropriations established for such purposes. In 1997, the FBI would maintain the same number of "in-country" training sessions, while placing additional emphasis on "Special Seminars" which will cover issues such as nuclear nonproliferation in addition to case-specific investigations.

For 1997, the FBI is seeking \$2,090,000 in funding for costs associated with training in the Baltic, Central and Eastern Europe countries and the former Soviet Union. The costs are broken down as follows:

Instructor per diem and travel	\$650,000
Regional conferences and seminars	380,000
Instructor development	110,000
Program/Course development	50,000
Country assessments	50,000
Other costs (translation/ interpretation/equipment/ facility rental/etc.)	850,000
Total	\$2,090,000

In addition, the FBI is requesting \$100,000 to assist with the building of democratic law enforcement institutions in Kazakhstan and the Ukraine. Funding for these activities is proposed as follows:

Travel and per diem	\$ 250,000
Other costs (translation/ interpretation/supplies/etc.)	50,000
Total	\$300,000

	Perm. PoA	FIE	Amount
INITIATIVE: Restoration of Infrastructure			
Criminal Operational Covert Funding	\$5,000

Additional covert operational funding to support ongoing investigations is required. This request includes \$1,500,000 for purchase of evidence and \$3,500,000 for informant payments. The FBI has previously depended upon funds from the Asset Forfeiture Fund (AFF) for purchases of evidence and informant payments. In recent years, however, this AFF funding availability has been reduced. Consequently, the FBI must establish permanent funding to enable the FBI's investigative programs to formulate investigative strategies and assure funding availability to support the resulting criminal investigation.

The following chart sets forth the allocations the FBI has received from the AFF over the last several years:

	Informants	Purchase of Evidence
1993	\$7,471,743	\$1,596,000
1994	8,400,000	5,000,000
1995	7,610,332	4,000,000
1996	3,000,000	1,500,000

For 1997, \$1,500,000 is requested to provide purchase of evidence funding. Controlled drug purchases are a critical investigative technique to identify organizations and gang members, their methods of distribution, trafficking routes, sources of supply, and to gather prosecutive evidence. Purchase of evidence funds are utilized in a manner designed to

lead to other, more efficient means of identifying and investigating an organization. For instance, purchasing drugs provides the probable cause, or one element thereof, for utilizing electronic surveillance against subjects of FBI investigations. Moreover, purchases provide an opportunity to introduce undercover agents to the organization. Drug purchases are an essential element of some investigations; however, they do not represent the principal means of investigating a drug organization.

Purchasing drug evidence provides unequivocal support for the criminal allegations and/or activities under Title 21, including the intent to distribute an illegal substance. Further, drug purchases assist in identifying the conspiratorial relationships among the members of the organization and its suppliers. Additionally, the quantity of drugs sold directly impacts the sentence or punishment of the distributors.

An additional \$1,500,000 is required for informant payments. The success of virtually every major FBI criminal investigation relies heavily on the intelligence and operational assistance provided by criminal informants and cooperating witnesses. Not only is the use of sources extremely effective, from an investigative perspective in penetrating criminal entities, it is also cost effective in that it saves considerable amounts of investigative efforts and resources used in alternate, more resource intensive techniques, such as physical and electronic surveillance.

Likewise, the FBI's ability to secure and maintain the critical assistance of these individuals depends largely upon its ability to compensate them for their investigation-related expenses and services. However, actual expenditures continue to be higher than funded. This fact requires a continual balance and change among the criminal covert accounts to address critical emergencies, rather than having adequate base level funding available to support planned or initiated investigations.

As FBI investigations continue to expand their focus on international criminal activity in accordance with Organized Crime/Drug National Strategies, Violent Crimes and White-Collar Crime investigations, the need for the extraterritorial development/operation of sources becomes imperative. To date, these sources have proven to be highly productive, particularly in the area of international drug trafficking.

NAME OF DECISION UNIT: ORGANIZED CRIMINAL ENTERPRISES	
MISSION: To uphold the law of the United States and investigate violations of the Law related to Organized Crime.	
<p>STRATEGIC ASSESSMENT: Organized crime is a continuing and self-perpetuating criminal conspiracy, employed by groups that are hierarchical in structure, fed by fear and corruption, and motivated by the potential generation of profits, impacting particular locales/regions or the nation as a whole. Organized crime groups maintain their position through the use of violence or threats of violence, corruption of public officials, and extortion. While the La Cosa Nostra has historically been the best known and significant organized crime group in the U.S., Asian, Italian, European, Eurasian, South American, Mexican, African and other international and domestic crime groups now pose a significant threat to American society. This emergence in recent years of the other OC groups, such as Russian/Eurasian organizations, is straining the FBI's base level OCE resources and presents the possibility that these groups, if not thoroughly addressed, will gain a stronger foothold in the U.S. and become even more costly to dismantle. The extent of the problem is enormous. 24 LCN families with 1200 members influence numerous labor unions throughout six industries in 21 cities across the U.S. Russian/Eurasian groups number up to 5600 with a membership of approximately 100,000. These groups continue to increase their activity in illegal drug trafficking, control of labor unions and specific industries, violent crime and other criminal activity.</p>	
<p>INTERNAL ASSESSMENT: The FBI's experience in dealing with OCE and our established database on the families and membership give the FBI a unique ability to address the problem and accomplish our mission. However, some changes are required to deal more effectively with OC and some additional resources are necessary to accomplish the stated objectives.</p>	
<p>STRATEGIC GOALS:</p> <ol style="list-style-type: none"> 1) To reduce the influence of significant organized crime groups operating within the U.S. and prevent such groups currently not operating within the U.S. from establishing a presence here. 2) To reduce the incidence of illegal drug trafficking and other criminal activity associated with OC groups in the U.S. 3) To improve liaison capabilities of the FBI domestically and internationally to handle more effectively the globalization of OC. 	
<p>STRATEGIC OBJECTIVES:</p> <ol style="list-style-type: none"> 1) To penetrate the hierarchy of targeted OC groups 2) To identify the structure and membership of targeted groups to determine complicity and extent of interrelationships among other crime groups. 3) To develop successful prosecutions for specific Federal violations, emphasizing the use of the Racketeer Influenced Corrupt Organizations (RICO) and the Continuing Criminal Enterprise (CCE) statutes 4) To disrupt and dismantle networks involved in the violation of Title 18 and Title 21 of the U.S. Code. 5) To reduce significantly the wealth of the organized crime groups by using money laundering statutes to seize ill-gotten assets for eventual forfeiture. 6) To expand existing liaison with appropriate domestic and international organizations and agencies to support the FBI's increased commitment to reducing the OC presence in the U.S. 	

NAME OF DECISION UNIT: Organized Criminal Enterprises - International Training							
PERFORMANCE INDICATOR INFORMATION		PERFORMANCE TARGETS AND ACTUAL RESULTS					
Type of Indicator	PERFORMANCE INDICATORS	1993 Actual	1994 Actual	1995 Actual	1996 Target	1996 Estimate	1997 Target
Input	1. In-country training sessions requested* 2. In-country training sessions performed 3. Number of country/course assessments 4. Instructor Development Course(s) 5. Number of instructors certified 6. Number of non-academy programs held at ILCA facility 7. ICU-U.S. based training sessions** 8. ICU Agents FTE to develop/manage program 9. Instructor hours for training (weeks)	...	...	38 38 12 12 97 97 6 6 3 163	80 80 40 60 35 35 8 8 5 280	80 60 6 1 1 35 6 8 5 280	TBD 50 1 1 7 60 6 8 30 250
	10. Number of officers trained at in-country sessions 11. Number of officers trained at non-academy programs 12. ICU-U.S. number of officers trained 13. Units of training provided to foreign students at overseas locations (students x days) 14. Units of training provided to foreign students at U.S. locations (students x days) 15. Units of training provided to develop instructors (students x days) 16. Number of foreign countries assessed 17. Number of foreign countries receiving training 18. Number of new courses developed 19. Number of courses delivered	...	...	1711 24 151 8750 4530	3400 150 250 15,000 1200	3400 150 250 15,000 1200	2500 200 200 11,000 1500
Intermediate Outcome	20. Percentage of training requests fulfilled (FSA/SEED/Other) 21. Number of FPC requests and other FBI investigative matters generated by countries that received training 22. Course and instructor evaluations (Scale of 1 to 5)	...	...	100 TBD 4+	75 TBD 5	75 TBD 8+	TBD TBD 8+

NAME OF DECISION UNIT: Organized Criminal Enterprises - International Training		PERFORMANCE TARGETS AND ACTUAL RESULTS					
Type of Indicator	PERFORMANCE INDICATOR INFORMATION	1993 Actual	1994 Actual	1995 Actual	1996 Target	1997 Estimate	1997 Target
End Outcome	23. Improve interface between FBI and trainees to increase effectiveness of both in investigating international crime.	...	...	YES	YES	YES	YES
	24. Improve law enforcement effectiveness in foreign countries that receive training.	...	...	TBD	TBD	TBD	TBD
	25. Strengthen democratic institutions in the NIS and CE by building public confidence in the integrity of the police and criminal justice system.	...	...	TBD	TBD	TBD	TBD
	26. Enhance economic development in the NIS and CE by providing a safer climate for investment and reducing losses from crime.	...	...	TBD	TBD	TBD	TBD

TBD - To be determined.

* On-site international training and technical assistance sessions are provided to the Nations of Russia, the NIS, Central Europe, and the Baltic States in order to address the emerging concerns of the criminal element in the former Soviet Union.

** Advanced and specialized training and technical assistance are provided to enhance specific investigative skills at the Quantico facility because it can provide the learning environment necessary for hands-on training. In addition, instructor seminars are provided to prepare FBI Agents for on-site training.

NAME OF DECISION UNIT: ORGANIZED CRIMINAL ENTERPRISES - LEGAL ATTACHES		PERFORMANCE TARGETS AND ACTUAL RESULTS						
PERFORMANCE INDICATOR INFORMATION		1993	1994	1995	1996	1996	1997	
Type of Indicator	PERFORMANCE INDICATORS	Actual	Actual	Actual	Target **	Estimate *	Target ***	
Input	1. Investigative Matters Pending Beginning of Year	3,084	3,313	3,744	4,118	4,118	4,330	
	2. Investigative Matters Received	8,408	7,103	7,698	8,248	8,248	9,037	
	3. Liaison/Investigative Initiatives Requested by Host Government							
	4. Liaison Initiatives Requested by U.S. Embassy at Post (new endosome, intelligence services, diplomatic community)	913	2,145	2,332	2,785	2,785	3,064	
	5. Liaison Initiatives Requested by U.S. Embassy at Post				1,570	1,570	1,777	
	6. Training Requests Received from Host Government	81	98	201	331	331	364	
	7. Investigative Matters Received	7,879	6,872	7,157	7,873	7,873	8,660	
	8. Investigative Program Addressed							
	A. OC/Drugs	1,570	1,373	1,437	1,580	1,580	1,779	
	B. WCO/Financial Crimes	1,827	1,639	1,510	1,661	1,661	1,827	
Intermediate Outcome	C. Violent Crimes	1,929	1,571	1,461	1,607	1,607	1,768	
	D. Other Priority Investigations	2,823	2,646	2,717	3,010	3,010	3,312	
	E. Misc. (Interpol/TPCO/Appellate)	3,450	3,062	3,727	3,413	3,413	3,600	
	9. Non-investigative Training Initiatives Addressed	124	143	154	160	160	185	
	10. Non-investigative meetings/functions proposed by FBI/Host Gov't Officials	N/A	483	1,416	1,537	1,537	1,713	
	11. Requests initiated on behalf of Host Government to initiate program to Mutual Legal Assistance Treaties (MLAT), Letter Requests and Provisional Arrests	2,679	2,246	2,346	2,580	2,580	2,839	
	12. Requests initiated on behalf of Host Government for travel of FBI Agents, Analysts, and Lab Specialists to assist in investigations	N/A	304	304	310	310	310	
	13. Travel requests initiated on behalf of Host Government Officials to FBI for Operational and Protocol meetings	1,609	2,250	2,300	2,560	2,560	2,605	
	14. Deportation or extradition	N/A	80	120	132	132	125	
	15. Implementation of Memorandum of Understanding/Treaties	N/A	17	40	44	44	48	
End Outcome	16. Provide testimony, evidence, and technical assistance to Host Government pursuant to prosecution	N/A	111	364	402	402	442	
	17. Meetings attended by FBI and Host Government Officials	N/A	718	3,228	3,550	3,550	3,906	

NAME OF DECISION UNIT: ORGANIZED CRIMINAL ENTERPRISES - LEGAL ATTACHES							
PERFORMANCE INDICATOR INFORMATION		PERFORMANCE TARGETS AND ACTUAL RESULTS					
Type of Indicator	PERFORMANCE INDICATORS	1993 Actual	1994 Actual	1995 Actual	1996 Target **	1996 Estimate *	1997 Target ***
Productivity/ Efficiency	18. Investigative Matters Addressed Legal Attache Offices Ratio	11,492 21 547:1	10,616 23 461:1	11,242 23 489:1	12,355 28 441:1	11,232 23 488:1	13,590 28 485:1
	19. Legal/ALAT FTEs Utilized Investigative Matters addressed Ratio	11,492 63 1:182	10,616 67 1:158	11,242 68 1:165	12,355 78 1:158	11,232 68 1:165	13,590 78 1:174

NVA - NSI ATTACHES

Based upon 1992 Report
** 1996 Estimate from 1995
*** 1997 Estimate from 1996

N/A - NOT APPLICABLE

* Based upon 1992 Report
 ** 10% Increase from 1995
 *** 10% Increase from 1996

**Federal Bureau of Investigation
Salaries and Expenses
Justification of Program and Performance
(Dollars in thousands)**

White-Collar Crime	Perm. Pos.	FTE	Amount
1996 Appropriation Anticipated	4,558	4,390	\$418,172
1997 Base	4,558	4,408	432,985
1997 Estimate	4,591	4,425	436,014
Increase/Decrease	33	17	3,029

LONG-RANGE GOAL:

To reduce losses in Government programs, financial institutions, and private sector businesses from corruption, fraud, and embezzlements and to provide investigative assistance to the Department of Justice (DOJ) in antitrust matters, and to restore the faith of the American people in the integrity of governmental entities.

MAJOR OBJECTIVES:

To reduce the widespread corruption within governmental entities throughout the United States, including those in the federal, state and local governments, and in all levels of law enforcement, and to restore the faith of the American people in the integrity of governmental entities; and to provide investigative assistance to Independent Counsels.

To identify, investigate, and obtain prosecution of individuals involved in fraud against the Government, federal program fraud, bribery, and embezzlement.

To identify, investigate, and obtain prosecution of individuals involved in the most significant frauds perpetrated against the Nation's financial institutions.

To identify, investigate, and obtain prosecution of major companies violating federal environmental statute and regulations.

To identify, investigate, and obtain prosecution of individuals and groups committing major domestic and international economic crime frauds such as telemarketing, computer fraud and abuse, money laundering, and insurance fraud.

To continue to assist Federal, State, local, and foreign law enforcement and regulatory agencies in making a coordinated and effective attack on White Collar Crime.

To further develop, refine, and maintain a national intelligence base consisting of quality high-level informants to penetrate the organizational structure and operations of criminal enterprises; to develop cooperating witnesses to provide firsthand testimony as to the day-to-day operations of these illegal organizations and sponsor their subsequent entry into the Witness Security Program; and to encourage liaison efforts with other law enforcement agencies.

To provide overall coordination and management oversight of initiatives relating to development and use of sophisticated and/or sensitive investigation techniques and to provide training, logistical, and technical support for significant criminal investigations.

To expand existing liaison with appropriate international and domestic organizations and agencies to support increasing investigative responsibilities of the FBI.

BASE PROGRAM DESCRIPTION: The White-Collar Crime (WCC) decision unit consists of three components: field investigations [4,490 positions (2,661 agents) and \$423,757,358]; Headquarters program management and analytic support [47 positions (25 agents) and \$5,126,570]; and Legal Attache/International Training program [21 positions (12 agents) and \$4,101,464]. The 1996 Congressional appropriation included an unspecified transfer from Salaries and Expenses to the VCRP; the FBI applied a portion of this one-year only action to the WCC decision unit. In addition to Salaries and Expenses, the WCC decision unit also has 1997 funding requested in other FBI appropriations accounts: \$1,500,000 in the VCRP; 572 positions and \$56,000,000 in Health Care Fraud - Salaries and Expenses.

The FBI categorizes WCC as those illegal acts which are distinguished by deceit, concealment, or violation of trust and which are not dependent upon the application or threat of physical force or violence. Every year FBI field offices are required to identify the highest priority investigative areas. Most recently, WCC investigations were ranked number one or number two in 53 of the 56 field offices. The FBI's WCC Program activities are divided into eleven subprogram areas: (1) Financial Institution Fraud, (2) Securities and Commodities Fraud, (3) Insurance Fraud, (4) Computer Crimes, (5) Telemarketing Fraud, (6) Fraud Against the Government, (7) Environmental Crimes, (8) Bankruptcy Fraud, (9) Public Corruption, (10) Health Care Fraud, and (11) International Fraud/Money Laundering.

Financial Institution Fraud (FIF) - Excluding losses due to failed institutions, the financial industry sustains losses of approximately \$40 billion annually due to fraud. Areas of primary interest relating to FIF investigations are institution failures, check/counterfeit negotiable instruments fraud, and loan fraud. During 1993, 1994, and 1995, respectively, the FBI had 642, 531, 395 pending financial institution failure investigations amounting to 6.4, 5.7, and 4.6 percent of all pending financial institution investigations. In 1995, the FBI utilized 20 percent of total FIF resources to address failed institutions.

The problem of counterfeit negotiable instruments and check fraud continues to grow as the technology to create financial documents advance. Losses caused by the negotiation of counterfeit monetary instruments have risen dramatically in recent years, and the banking industry has identified this area as the number one problem affecting institutions. FBI intelligence illustrates the significance of the problem with recent statistics showing approximately 60 percent of all criminal referrals received by the FBI relate to check fraud. According to industry experts, counterfeit checks result in losses of \$5 billion per year. The FBI recognizes that counterfeit negotiable instruments and loan fraud could present a

serious threat to financial institutions and the economy. The FBI continues to address this problem through vigorous liaison with industry representatives and regulatory agencies, as well as the use of sophisticated investigative techniques aimed at organized activity.

Securities and Commodities Fraud - Growth in the securities markets has led to an increased opportunity for fraud and other criminal activity within the securities and commodities markets. Securities regulators estimate securities fraud as a \$40 billion a year problem in the United States. FBI investigations have led to successful prosecutions involving penny stocks, national exchange stocks, commodities and future markets, insider trading, market manipulations, as well as unregistered securities cases.

Insurance Fraud - Insolvencies, unlicensed companies, and premium diversion schemes, as well as fraudulent assets used in computing surplus, are crimes addressed under the insurance program. The insurance industry is vulnerable to fraud since the nature of insurance involves the payment of money in the exchange for a promise to pay costs associated with some future event which may or may not occur. The National Insurance Crime Bureau (NICB) estimates at least 10 percent of all property-casualty claims are either inflated or fraudulent, resulting in an estimated \$18 billion a year in phony claims.

Computer Crimes - The FBI has established computer crimes squads to address significant national and international computer crime cases emphasizing intrusion into major computer networks, including the telecommunications networks, public data networks, and other major computer networks. The Computer Fraud and Abuse program addresses computer crimes classified as impairments, theft of information, and/or intrusions into computer systems. The San Francisco and Washington Metropolitan Field Offices have established computer crime squads, and there are plans to implement another in New York. The true annual economic loss resulting from computer crimes is difficult to ascertain due to the lack of reliable statistics. General estimates of total annual economic loss, based on analysis of various studies, range from \$164 million to \$500 million.

Telemarketing Fraud - Experts in the telemarketing industry estimate fraudulent telemarketing practices cost the American consumer approximately \$40 billion per year. The consequences of these frauds to individual victims, as well as small business owners, are potentially devastating. Some victims of telemarketing fraud have lost everything, including their personal pride and dignity, pursuing the telemarketer's tantalizing "too good to be true" offers. The FBI led a telemarketing initiative known as SENIOR SENTINEL which became public on December 7, 1995. SENIOR SENTINEL coordinated law enforcement resources from various Federal, State, and local law enforcement agencies who used senior citizen volunteers to consensually record the telemarketer's approach to "evidence of fraud. This initiative targeted telemarketers who prey on the elderly. During the investigation, 536 arrest warrants were obtained, and 117 search warrants were executed. As of December 13, 1995, 434 of the 536 arrest warrants had been executed.

Although the FBI is aggressively pursuing telemarketing fraud, the need to address this criminal activity continues to grow. The FBI has identified a growing trend in international telemarketing fraud, money laundering associated with telemarketing fraud, and telemarketing fraud on the INTERNET. Telemarketing operations based in Canada and the Caribbean are targeting citizens in the United States and effectively using the borders as a barrier to criminal prosecution. Telemarketing fraud complaints from U.S. citizens have been received as a result of solicitations proffered on or through online services that tout employment and investment opportunities and apparent prize schemes.

Fraud Against the Government - The Governmental Fraud program encompasses investigations of fraud in Federal government procurements, federally funded entitlement programs, and antitrust matters. The FBI establishes and maintains effective liaison with each Office of Inspector General, the Department of Justice (DOJ), as well as other

governmental offices to coordinate program fraud investigations. This comprehensive approach to identifying crime problems has proven to be an invaluable strategy.

Environmental Crimes - Environmental crimes threaten the public health and safety and impact upon the economic strength and security of the United States as deeply as crimes of violence. Due to the increased demands on FBI investigative resources, it is necessary for the FBI to focus resources on high threat categories of environmental crime, namely, crimes committed by organized groups, patterned flagrant violators, and those who knowingly endanger company employees or the public. The FBI participates and sponsors multi-agency environmental working groups. The environmental crime caseload has increased from 140 in 1987 to 487 in 1995. Growth in the environmental crime caseload is anticipated to continue as authorized disposal sites become full and the costs of legitimate disposal rise, resulting in financial incentives for companies and individuals to improperly dispose of their hazardous waste. Liaison and joint training with the federal and state regulatory agencies have proven crucial to establishing effective environmental crime task forces throughout the country and implementing national initiatives.

Bankruptcy Fraud - The FBI has exclusive investigative jurisdiction of bankruptcy fraud. Pending bankruptcy fraud cases in 1993, 1994, and 1995, respectively, were 1,188, 1,128, and 1,140. For 1995, there were 128 convictions, restitutions totaling \$12,203,212 and recoveries totaling \$2,421,342 as a result of FBI bankruptcy fraud investigations. Due in part to the changing economic climate in the United States, and a perceived diminution of the stigma attached to an individual's filing for bankruptcy, bankruptcies increased in the early 1990's. The growth today in the number of bankruptcy fraud investigations has increased proportionately to the number of bankruptcy filings.

Due to the increased number of bankruptcy fraud investigations, many judicial districts along with the FBI have initiated bankruptcy fraud task forces. Statutes to include mail fraud, wire fraud, and tax fraud are utilized to adequately address this crime. The FBI is coordinating a number of task forces around the country. These task forces are comprised of participants from the FBI, the Internal Revenue Service, the United States Postal Service and other agencies who have an investigative interest in bankruptcy fraud.

Public Corruption - The Public Corruption program primarily involves the investigation of allegations regarding bribery and conflict of interest of public officials, and corruption of State and local public officials within all branches of Government, including law enforcement. In addition, this public corruption program encompasses investigations conducted under the Ethics in Government Act, including the Independent Counsel Act, as well as election law, perjury, obstruction of justice, and illegal interception of communication violations.

By their very nature, Public Corruption investigations involve secretive relationships between individuals and public officials. Corrupt public officials are willing to accept bribes in return for favorable treatment to particular individuals. To successfully address these secretive relationships and obtain the best evidence possible, the FBI uses sophisticated, complex, and sensitive investigative techniques. The most successful investigations usually are covert in nature involving undercover agents and/or cooperating witnesses who consensually record conversations with subjects. Court-authorized electronic surveillance, such as Title III's, is also frequently used. These techniques are personnel-resource intensive and lengthy in duration.

The Department of Justice conducts preliminary investigations of alleged misconduct of high level officials in the federal Government and, in many cases, Independent Counsels are formed. Traditionally, the FBI is the lead agency in these very sensitive investigations.

Historically, the FBI has provided leadership in the fight against corruption, not only at the Federal level, but also at the State and local levels. State and local governments often lack the resources, skill, and/or willingness to address corruption. Even with this knowledge, the FBI does not intrude without invitation into State or local investigations which are being handled independently by local/county/State authorities. The FBI becomes involved in corruption cases having significant impact on the community and in areas where corruption is believed to be widespread, pervasive, and systemic. The impact of a successful public corruption investigation on a community is beyond comparison to other types of investigative successes. Several times over the last few years, highly successful public corruption investigations have resulted in significant changes in the manner in which the State and local governments conduct business, thus making those governments more responsive to the citizens they represent.

Over the last four years, law enforcement corruption has become a major focus of the FBI. Recognizing the seriousness of this type of corruption and its impact on the ever increasing crime problem in general, the FBI has undertaken numerous initiatives to address this problem in an aggressive and decisive manner. An enhanced working relationship with other Federal law enforcement agencies has been established to address the identified rise in corruption along the Southwest Border of the United States.

Health Care Fraud - National health care costs continue to climb at a staggering rate. The U.S. Chamber of Commerce projects annual health care spending will grow from approximately \$800 billion in 1992 to \$1.6 trillion by the turn of the century. At that rate, by the year 2000, health care would consume up to 16.4 percent of the Gross National Product. Currently, the American public spends \$100 million every hour for health care. It is estimated fraud accounts for a loss of \$80 billion annually or 10 percent of total health care spending. Proactive investigations continue to result in an increase in the health care fraud intelligence base. As the intelligence base grows, there would continue to be a natural progression of significant fraud investigations, that require further resource commitments.

International Fraud/Money Laundering - Money laundering is the use or conversion of money gained from illegal activity to money that appears legitimate and whose source cannot be traced to illegal activity. Two common links permeate nearly all WCC investigations. One involves the presence of financial gain as a motivational factor considered by those conducting criminal activity. A second link involves the presence of specific unlawful activities in the vast majority of all WCC investigations. The FBI's money laundering program strongly encourages proactive investigative efforts addressing those individuals providing money laundering services.

Recently, there has been an emergence in the number of international financial crimes including non-narcotic related money laundering, advance fee fraud, and insurance fraud. Taking advantage of rapid increases in technology, the disappearance of trade and travel barriers, and growing international economies, white collar criminals are making the world their playing field. The FBI has established a WCC investigative team with members from the United Kingdom (U.K.) and the FBI to investigate and prosecute financial crimes with emphasis on non-drug money laundering affecting the U.S., the U.K., and the British Caribbean Dependent Territories.

PROGRAM CHANGES:		Perm. Pos.	FTE	Amount
INITIATIVE: Southwest Border		33	17	\$3,029

Under the Southwest Border initiative, the FBI requests an additional 20 agent and 13 support field personnel to address Public Corruption matters. In 1990, the Public Corruption initiative identified the Southwest Border of the United States as an area where law enforcement corruption was growing at an alarming rate due to resource increases being focused on illegal immigration and narcotics trafficking. The FBI's Albuquerque, Dallas, El Paso, Houston, Los Angeles, Phoenix and San Diego Field Offices were determined to be in the geographic areas most affected. In 1991, two additional agents were assigned to each office in an initial step to identify and address this increasing crime problem. As a result of this initial effort, it is evident that law enforcement corruption along the border exists at all levels, including Federal, State and local, and that corruption is entrenched, systemic, and significant in national terms.

Despite the FBI's efforts along the Southwest Border to address the widespread corruption among inspectors at the border and law enforcement officers at all levels in that area, major narcotics trafficking organizations continue to smuggle large quantities of illegal narcotics across the border, frequently through the payments of bribes to inspectors and other law enforcement personnel.

As part of the Southwest Border project, studies have been conducted in conjunction with various federal, state and local law enforcement agencies. These studies have determined that certain preventive and proactive approaches have been successful in other areas, including the establishing of well-publicized task forces between the FBI and other Federal, State, and local law enforcement officers to address systemic and serious corruption within those departments. At the present time, however, only one such investigative unit, located within the Miami Office, is operating under this approach. There exists along the Southwest Border an unprecedented opportunity for the FBI to provide significant assistance in these preventive and proactive measures.

NAME OF DECISION UNIT: WHITE-COLLAR CRIME									
PERFORMANCE INDICATOR INFORMATION		PERFORMANCE TARGETS AND ACTUAL RESULTS							
Type of Indicator	PERFORMANCE INDICATORS	1993 Actual	1994 Actual	1995 Actual	1996 Target	1996 Estimate	1997 Target		
Input	1. Investigative Matters Pending Beginning Year:	23,290	24,201	23,247	21,689	21,689	20,100		
	2. Investigative Matters Received	41,627	37,624	39,480	40,315	41,454	40,624		
	3. Health Care Fraud Cases Pending	1,051	1,500	1,878	1,803	1,803	1,803		
Output/ Activity	4. Investigative Matters Resolved	40,716	38,578	41,038	41,904	43,090	42,228		
	5. Titles IIs								
	a. New Titles IIs Initiated	27	19	19	27	27	39		
	b. Existing Title IIs Extended	9	13	8	15	15	15		
Intermediate Outcome	6. Information & Indictments	7,552	6,472	6,580	6,640	6,809	7,065		
	7. Recoveries & Restitutions	2,377,310	3,487,332	3,309,444	2,500,000	2,500,000	2,500,000		
	8. Fines (\$000)	1,102,612	110,972	142,170	120,000	130,000	130,000		
	9. PELPs (\$000)	809,115	10,559,798	3,199,050	850,000	850,000	900,000		
End Outcome	10. Convictions/Pretial Diversions	6,377	5,936	5,635	5,757	5,917	5,801		

A. Definition of Terms or Explanations of Indicators

1. 1993 actual figures reflect classification changes in the Economic Crimes Subprogram
- 1, 2. Investigative matters include all office of origin cases.
3. Cases pending are only the office of origin cases currently open.
5. Title IIIs are court-authorized interceptions of telephone conversations between criminal subjects and their associates. This electronic surveillance technique is highly effective in producing the evidence needed to convict criminal subjects. The 1993, 1994 and 1995 figures do not include Public Corruption Subprogram figures.
6. Informations are actions sought by U.S. Attorneys in lieu of indictments. They are usually sought when a plea is expected. Every citizen has the right to reject an information action and insist that he or she be indicted for an offense.
9. PELP - Potential Economic Loss Prevented - is an estimation of the economic value of losses prevented by FBI investigative activities.
10. Convictions & Pretrial diversions - Figures have been combined.

B. Factors Affecting FY 1995 Program Performance

A realignment of resources within the WCC Program directed resources to concentrate on the areas of HCF and Environmental Crimes.

C. Factors Affecting Selection of FY 1996 and 1997 Target

5. A major focus of the Southwest Border Initiative within the Public Corruption subprogram is the extensive use of Title IIIs to combat the endemic corruption linking drug traffickers and law enforcement personnel along the border. A goal of three Title IIIs for each of the six Southwest border offices has been set.

The remaining indicators are not expected to change with approval of program changes.

**Federal Bureau of Investigation
Salaries and Expenses
Justification of Program and Performance
(Dollars in thousands)**

Other Field Programs	Perm. Pos.	EIE	Amount
1996 Appropriation Anticipated	8,604	8,089	\$823,432
1997 Base	8,895	8,635	931,507
1997 Estimate	9,214	8,849	960,650
Increase/Decrease	319	214	29,143

LONG-RANGE GOAL: To reduce the incidence and impact of violent and property crime victimization against citizens and communities in the United States and the United States Government; to conduct prompt and thorough investigations of civil rights violations within the FBI's jurisdiction; to provide a rapid and coordinated response to incidents of a crisis nature; and to conduct investigations to identify and neutralize actions by terrorist groups operating in the United States.

MAJOR OBJECTIVES:

To investigate threats, assaults, kidnappings, or assassination of designated government officials and law enforcement officers; to investigate kidnappings, child abductions, the sexual exploitation of children, extortions, bank robbery, and other violent crimes under FBI jurisdiction, including crimes perpetrated by violent gangs.

To identify and investigate major domestic violent street gangs through sustained, proactive, multi divisional, coordinated investigations that support successful prosecution.

To investigate serious violent and major property crimes committed on Indian reservations, in Federal correctional institutions, and on United States Government property.

To identify and investigate individuals and organized groups involved in theft from interstate shipment, interstate transportation of stolen property, motor vehicle theft rings, the fencing of stolen goods, and other Federal property crimes.

To maintain a strong partnership with State and local law enforcement and community leaders through the Safe Streets Violent Crime Initiative.

To locate and apprehend Federal, State and local fugitives charged under the Fugitive Felon Act with unlawful flight to avoid arrest, prosecution, or confinement for violent crimes, or substantial property thefts.

To investigate alleged violations of various civil rights statutes which are self-initiated or at the request of the Attorney General, providing the results to DOJ for prosecutive action or referral to another Federal agency for appropriate action; to provide training to local, State and Federal law enforcement regarding civil rights matters; to enlist the cooperation of the minority community by education about the FBI's Civil Rights Program and through community outreach.

To provide training and operational support in the areas of hostage/barricade situations, terrorist activities, and other crisis situations which require an emergency response by a diverse group of law enforcement resources.

To continue to evaluate the nature and scope of the threat posed to U.S. national security by the intelligence and international terrorism activities of foreign powers.

To reduce the level and effectiveness of intelligence and terrorism activities of foreign powers and their agents that adversely affect U.S. national security, both in the United States and abroad.

To detect, prevent, and/or react to unlawful, violent acts and criminal activities of domestic terrorist groups or individuals.

To reduce the risk of loss of FBI or national security information through the timely and thorough completion of investigations to determine the trustworthiness of FBI employees or contractors.

To keep pace with evolving investigative requirements through development of new technologies and to build a base of dedicated technical support for the counterintelligence and counterterrorism operations.

BASE PROGRAM DESCRIPTION: Base funding in 1997 for the Other Field Programs reflects a transfer of \$18,350,890 and 208 positions and workyears from the Violent Crime Reduction Program (VCRP) to Salaries and Expenses and a proposed reallocation of 83 agent positions (77 FTE) to the Counterterrorism (CT) Program from the FBI's Applicant Program. This reallocation is due to the implementation of the Background Investigations Contract Services (BICS), which allows field agents previously performing Applicant investigations to be redirected into investigative programs. The 1996 Congressional appropriation included an unspecified transfer from Salaries and Expenses to the VCRP; the FBI applied a portion of this one year only action to the Other Field Programs. In addition to Salaries and Expenses, the Other Field Programs also has 1997 funding requested in another FBI appropriations account, \$10,715,000 in the VCRP.

Violent Crimes: The Violent Crimes Program within Other Field Programs is perhaps the most diverse of any in the FBI. This program encompasses the investigation of a wide range of violent personal and property crimes, in addition to assisting State and local law enforcement agencies in locating and apprehending dangerous criminals. The investigative activities are

focused among four subprogram components, which are Violent Crimes, Interstate Theft, Government Reservation Crimes, and Fugitives. The Violent Crimes Subprogram investigates the attempted or actual assault, kidnapping, assassination or other killing of various Federal officers and officials, including the President, Vice President, executive department heads, Supreme Court Justices, members of Congress, and other Federal officers as specified by statute. Other crimes addressed by the Violent Crimes Subprogram include bank robberies, kidnappings, extortions, tampering with consumer products, theft of controlled substances, aircraft hijackings, murder for hire, and crimes involving the sexual exploitation of children, as set forth in the White Slave Traffic Act and the Interstate Transportation of Obscene Materials Statutes. The criminal activity of major domestic violent street gangs is also investigated within the Violent Crimes Subprogram. The Interstate Theft Subprogram investigates carjackings, thefts from interstate shipment, interstate transportation of stolen property, including motor vehicles, individuals and groups engaged in such activities, and fences dealing in stolen property. The Government Reservation Crimes Subprogram investigates serious violent and major property crimes committed on Indian reservations, such as murder, assault, sexual exploitation of children, and incest. Such investigations are also conducted on other United States Government properties, to include major Department of Defense installations, civilian agency buildings and sites, national parks and recreational areas, and Federal penitentiaries. The Fugitive Subprogram assists Federal, State and local law enforcement agencies seeking felons who cross state boundaries to avoid prosecution or confinement.

A major initiative within the FBI's Violent Crimes and Major Offenders Program is the Safe Streets Task Forces (SSTFs), which addresses the multitude of violent crime problems occurring throughout the United States. The SSTFs team the FBI with other Federal, State and local law enforcement agencies to employ their collective resources in aggressively addressing regional violent crime problems. SSTFs are designed to address street gang and drug-related violence, as well as seek the most significant fugitives wanted for crimes of violence through the establishment of long-term, proactive, and coordinated teams of Federal, State and local law enforcement officers and prosecutors. These multi-agency task forces primarily focus on gang violence, bank robbery, kidnapping, extortion, armed robbery, drug-related violent crimes, vehicle theft, property theft, and the location of violent criminal offenders. The SSTF Initiative gives the FBI an effective mechanism for encouraging cooperation with other Federal, State and local law enforcement agencies to avoid duplication of investigations. This initiative has allowed State and local officers to combine their local knowledge with the technical expertise of FBI agents, resulting in task forces with participants who are uniquely qualified to bring together the most innovative investigative techniques against sophisticated violent criminals. The SSTFs utilize the investigative expertise and intelligence resources of all participating agencies. Through these task forces, participants gain access to and share investigative databases. The result is a significant increase in the amount and quality of intelligence gathered and implemented.

Currently, there are 138 SSTFs operational in 53 field offices, with 1,033 State/local officers, 708 FBI agents, and 183 other Federal law enforcement personnel. Specifically, there are 64 violent crimes, 33 violent crime/fugitive, 32 fugitive, and nine major offender task forces. The SSTFs have proven extremely successful in maximizing the collective efforts of Federal, State, and local resources in addressing violent criminal offenders.

Under the Civil Rights Program, the FBI investigates violations of the Federal Civil Rights statutes which protect the civil rights of all persons in the United States, including the Freedom of Access to Clinic Entrances (FACE) Act. Prohibited activities include the use of force or threat through obstruction, injuries, property damage, or any other type of interference in preventing such person or any class of persons from obtaining or providing reproductive health services.

Since the Rodney King incident in March 1991, the FBI's Civil Rights Program has seen an increase in its caseload as well as a significant rise in complex investigations, requiring substantial resources and involving issues or circumstances receiving national attention. The FBI has also experienced an increased demand on these resources by conducting investigations in support of Department of Justice enforcement of the civil enforcement provisions of the Civil Rights Statutes. These investigations involve non-criminal, civil violations concerning the Civil Rights of Institutionalized Persons Act; the Civil Rights Act of 1964 - Civil Discrimination; and, civil investigations involving Discrimination in Housing matters and the FACE Act. As a result of the Attorney General's Police Misconduct Initiative, the FBI anticipated additional Civil Rights investigations of police departments and other law enforcement agencies in connection with allegations of pattern and practice violations, and Title VI violations.

The CIRG facilitates the coordination of FBI responses to major law enforcement crises and special investigations. The CIRG comprises two branches, Special Investigations and Tactical Support. The Special Investigations Branch consists of the Crisis Management Unit, Child Abduction and Serial Killers Unit (CASKU), Aviation and Special Operations Unit, Investigative Support Unit (ISU), and Undercover Safeguard Unit. The CASKU and ISU comprise the National Center for the Analysis of Violent Crime. The Tactical Support Branch consists of the Hostage Rescue Team, Special Weapons and Tactics Unit, and Special Detail Unit. The CIRG responds to crimes which pose great dangers and require skills that are not routinely available in many law enforcement agencies. When faced with complex incidents, law enforcement must respond by providing trained and well-equipped tactical and aviation personnel, trained and experienced negotiators, supported by pertinent research of successful techniques in similar situations, which will increase the potential of a peaceful resolution. Behavioral science experts advise tacticians, negotiators, and crisis managers regarding subjects and potential strategies. These resources greatly enhance the potential to successfully resolve complex crisis situations or investigations that require such expertise.

Counterterrorism (CT): Another program within the Other Field Programs decision unit is the CT Program. The FBI is the lead federal law enforcement agency in the U.S. Government's fight against terrorism. The Counterterrorism Program enables the FBI to fulfill its terrorism responsibilities. The FBI defines terrorism as the unlawful use of force or violence against persons or property to intimidate or coerce a government, the civilian population, or any segment thereof in furtherance of political or social objectives. The FBI's Counterterrorism Program focuses on preventing, interdicting, and investigating the violent acts and criminal manifestations of terrorist groups and individuals involved in terrorism and related activities. Therefore, counterterrorism activities can be broken down into two primary areas: the prevention of terrorist acts and reaction to terrorist incidents through the timely development of intelligence which is augmented by an exchange of information between the FBI and other agencies, both in this country and abroad. In its reactive capacity, the FBI conducts criminal/counterterrorism investigations and other law enforcement operations designed to arrest and convict terrorist groups' members and individuals who perpetrate other criminal acts related to terrorist activities.

Domestic terrorist groups are those groups which originate in the United States and direct their activities toward elements of the U.S. Government or population with the intent to overthrow the U.S. Government, to interfere with the activities of a foreign government in the United States, to substantially impair the functioning of the Federal Government, a state government, or interstate commerce, or to deprive citizens of the United States of their civil rights, as guaranteed by the U.S. Constitution.

Terrorism investigations are conducted in accordance with the Attorney General Guidelines for Domestic Security/Terrorism and Racketeering Influence and Corrupt Organizations. FBI investigations of CT focus on the criminal activity of the group, not on the ideology motivating the group.

The FBI's CT Program is responsible for countering the enormous threat posed to the national security of the United States by the illegal proliferation of Weapons of Mass Destruction (WMD), to include nuclear, chemical and biological weapons and source material, as well as their launching systems, such as ballistic missiles. The DT Program is responsible for investigating/countering WMD smuggling, proliferation, and terrorism matters.

When responding to acts of terrorism, the FBI utilizes all available resources and techniques to investigate and prosecute domestic terrorists who commit violent and illegal acts in the United States. These criminal acts include violations of the Protection of Foreign Officials, Neutrality, and Extortion statutes, as well as firearms and explosives laws. The ongoing investigation of the April 19, 1995, bombing of the Murrah Federal Building in Oklahoma City illustrates the strength of the FBI's DT Program. The FBI was able to initiate and pursue an investigation of the blast in the midst of chaos surrounding rescue efforts. Within days, the FBI, working with other Federal, State and local law enforcement, identified two key suspects who were arrested and indicted for the bombing. The investigation continues to identify other individuals who may have engaged in a conspiracy to bomb the Murrah Federal Building.

The FBI has enjoyed a substantial degree of success in the investigation of domestic terrorist organizations. These successes are attributable, in part, to formalized working relationships with State and local law enforcement in the form of Joint Terrorism Task Forces (JTTFs). The JTTFs have achieved success in obtaining arrests and convictions in a number of CT investigations. It is anticipated that the resources devoted to these JTTFs will continue to be effective in countering the threat posed by terrorists in the United States.

The CT Program is also responsible for Special Events Management (SEM). A "special event" is broadly defined as any major event occurring within the United States or abroad which is of such national or international importance that it becomes an attractive terrorist target. Examples of special events include the 1996 Olympic Games to be held in Atlanta, Georgia; the visit of Pope John Paul II; and the two national presidential conventions in 1996. The function of the SEM Program within the FBI is to coordinate contingency planning for response to a terrorist incident during a special event, as well as to assist, when requested, with implementing security for the event.

The FBI also possesses statutory authority for extraterritorial investigations. FBI responsibilities relating to the investigations of acts of terrorism conducted against Americans abroad is mandated under legislation enacted in 1984 and 1986. These laws allow the FBI to assert Federal jurisdiction outside the United States when a U.S. national is taken hostage, assaulted, or murdered, during the commission of a terrorist act in another country. The FBI also conducts investigations abroad, at the request of the host country, to ascertain the location and to effect the arrest and extradition of individuals who commit acts of terrorism in the United States and then flee the country. Investigations conducted abroad under the authority of extraterritorial statutes afford the United States a legal mechanism to investigate, and, when warranted, to seek the prosecution of terrorists who attack U.S. interests overseas. To date, FBI investigations of extraterritorial matters have been quite successful.

Security Countermeasures (SCM): The FBI's SCM Program is a nationally directed and coordinated program consisting of eight operational activities targeting specific high threat areas subject to compromise and penetration by persons, groups, or organizations whose interest are inimical to the United States. These eight operating disciplines are as follows: Personnel security; Industrial security; Security clearance investigations; Physical security; Information security; Sensitive Compartmented Information and Special Access Programs; Operations security, as well as Automated Data Processing and Telecommunications security.

These disciplines are specifically designed to counter the threat of penetration and compromise of FBI personnel, facilities, and Government contract personnel by foreign intelligence services and their agents in the United States, as well as those international terrorists, narcotics traffickers, and other criminal elements groups whose activities are contrary to the national security and interests.

The most aggressive undertaking of the SCM Program is the expansion of the scope of the FBI's Five-Year Reinvestigations Program. Prior to August 1994, the Five-Year Reinvestigations Program was limited to credit and arrest checks and a review of an employee's personnel file. Since August 1994, the Five-Year Reinvestigation Program has expanded to include full-field background investigations, including neighborhood inquiries, interviews of references, associates, supervisors, and co-workers, as well as an interview with the employee. As a result of this initiative, the FBI is achieving compliance with the reinvestigation requirements set forth in Department of Justice Order 2610.2-A, entitled, "Employment Security Regulations," as well as Intelligence Community (IC) standards.

Legal Attache Program: Within the Other Field Programs decision unit are components of the Legal Attache Program. The mission of the FBI's Legal Attache Program is to establish and maintain liaison with principal intelligence/security services in designated foreign countries. This liaison enables the FBI to effectively and expeditiously meet its international responsibilities. This program provides for a prompt and continuous exchange of information with foreign countries. For example, Legat Bangkok performed critical liaison with Pakistani officials to facilitate the arrest and extradition of Ramsey Ahmed Yousef to the United States. Yousef is the suspected mastermind of the World Trade Center bombing. Additionally, Legats Bern, Rome, Paris, Hong Kong, and Bogota actively pursued leads and obtained valuable information concerning the espionage activities of Aldrich Hazen Ames. In recent years, the enactment of laws granting extraterritorial jurisdiction has made the Legal Attache's role increasingly more active. The prosecution of violators of Federal law for crimes committed outside the territorial boundaries of the United States mandates the presence of FBI Legal Attache to assist with investigations conducted in foreign countries.

Following are examples of the types of investigations conducted within the Other Field Programs:

The FBI Dallas Field Office used a Group II Undercover Operation to address the violent crimes and drug trafficking activities of the 415 Bloods Street Gang, a.k.a., the East Dallas Posse. This gang was responsible for the distribution of crack cocaine and other dangerous drugs, and for many violent crimes to include murder and sexual assaults in the Frazier Court Housing Projects. In August 1995, a Federal Grand Jury in the Northern District of Texas returned a 49-count indictment charging Andres Carl Rogers, the gang's leader, and 23 other subjects with conspiracy to distribute 50 grams or more of crack cocaine and other controlled substance violations. Twenty of these subjects pleaded guilty prior to trial. The remaining four subjects were tried and convicted.

One Violent Crimes SSTD, located in Detroit, has been described by the Attorney General as a "text book example" of Federal, and local law enforcement agencies pooling their talent and resources to fight crime. This comment followed the successful investigation of a major home invasion gang who posed as police officers. The SSTD is composed of investigators from the Detroit Police Department, Michigan State Police, Immigration and Naturalization Service, Internal Revenue Service, and FBI. Additionally, assistance was provided by Lansing, Michigan, Police Department; tri-county Metro Drug Task Force (Lansing, Michigan); Southfield, Michigan, Police Department; Fremont, Ohio, Police Department; and the Sandusky, Ohio, County Sheriff's Department. Indictments were handed down on December 12, 1995, charging 22 individuals of various charges of racketeering, conspiracy to distribute cocaine, use of a telephone to facilitate a drug conspiracy, interstate travel in aid of racketeering, violent crimes in aid of racketeering activity, and use of a firearm during and

in relation to a crime of violence. The indictment further charged all of the defendants with committing 37 armed robberies and attempted armed robberies, along with the use of firearms in committing these armed robberies. Several of the defendants were also responsible for committing two attempted murders, three assaults which resulted in serious bodily injuries, and various drug related offenses.

The FBI's Memphis Field Office and local law enforcement agencies have formed a 20-member task force to investigate the arson of four churches in western Tennessee which have occurred during the past year. The FBI's Birmingham Field Office and other local and Federal law enforcement agencies are investigating three church burnings near Balizee, Alabama.

On March 11, 1995, Joseph H. Lucero and Charles L. Lacroix blocked accesses to the Women's Health Care Services clinic by parking vehicles in front of both entrances. These subjects chained themselves to the undercarriages and were partially contained inside homemade welded boxes in the vehicles' passenger compartments. On March 16, 1995, Lucero and Lacroix were charged by information with violation of the FACE Act. After being found guilty, Lucero and Lacroix were each sentenced to six months imprisonment to be followed by one year supervised probation. In addition, they were jointly and separately found responsible for \$300 restitution to the clinic and \$1,100 restitution to the Wichita Fire Department.

PROGRAM CHANGES:

	Perm. Pos.	FTE	Amount
Other Field Programs	319	214	\$29,143

Within the program changes for Other Field Programs are additional clerical/administrative support positions for existing SSTFs, funding for BICS, and personnel to pursue counterterrorism matters.

	Perm. Pos.	FTE	Amount
INITIATIVE: Restoration of Infrastructure Safe Streets Task Force Field Support	88	44	\$2,867

An additional 88 clerical/administrative support positions are requested for existing SSTFs. As the task forces have evolved with the assignment of additional police officers and agents, there is a complementary need for typists, and related support staff. Also, within the FBI's field offices, clerical/administrative support is required for the existing operations. With the formation of the SSTFs, clerical/administrative support is needed to support not only FBI personnel assigned to the task forces, but also the clerical/typing needs of other task force members.

Perm Pos.	FTE	Amount
..	..	\$8,000

INITIATIVE: Restoration of Infrastructure Security Reinvestigations

The FBI SCM Program is the first line of defense against espionage and other threats to compromise the FBI, its personnel, and its information. As clearly demonstrated by the Aldrich Hazen Ames investigation, betrayal of the security of the United States through the deliberate compromise of national security information (NSI) and other sensitive U.S. Government information cannot be tolerated. One of the two primary intelligence threats within the United States stems from human intelligence gathering; therefore, the FBI remains dedicated to sensitizing its employees and its contract employees to this threat. The strengthening of security countermeasures in all areas involving personnel remains a top priority within the FBI's SCM Program. The greatest target for compromise are employees of the U.S. Government and its contractors who, in many cases, have access to sensitive NSI.

The reinvestigation of FBI personnel, all of whom hold a "Top Secret" clearance and are in "special-sensitive positions," began in 1989, with minimum compliance of Office of Personnel Management (OPM) regulation, Chapter 736, which implements Executive Order (EO) 10450. This order requires that all persons in the Government in special-sensitive positions be subject to a reinvestigation every five years. To be in full accord with the EO, a complete reinvestigation program has begun. This reinvestigation program would include inquiries and interviews of neighbors, co-workers, social acquaintances, as well as, national agency checks. The base line program is inadequate to address the OPM regulation and EO, as field resources would be required to do the complete reinvestigation.

The SCM Program is currently funded in the amount of \$705,000 for contract reinvestigations, which is inadequate to support the level of reinvestigations required. The FBI anticipates requiring \$271 five-year reinvestigations and contractor background investigations in 1997. Contractor investigations would be used to conduct these investigations at an approximate cost of \$8,271,000. A program increase of \$7,566,000 is needed to offset the contractual costs associated with contract investigations. This figure reflects the funding required less the base level funding. If approved, all of the FBI's required background investigations and five-year reinvestigations would be conducted by contract investigators at a cost of \$8,271,000, or \$1,000 per case. If FBI agents were required to conduct the same number of investigations, the cost to the FBI would be approximately \$20,677,500 or \$2,500 per case.

An additional \$434,000 is also requested to support field level operations. A total of \$129,000 is requested to offset expenses associated with assessing program management performance, as well as recruiting contractors. Further, \$305,000 is needed to support the polygraph examinations in connection with the reinvestigations of FBI employees focusing on national security issues. Polygraph examinations are limited to national security screening examinations in all reinvestigations. The value of a polygraph in this application is that it could reduce security concerns about those employees who are "cleared" by polygraph while focusing available security/investigative resources in those areas where the possibility of threat does exist.

Given the current budgetary climate and the extensive workload involved in meeting the security countermeasures requirements for personnel and contractors, the FBI has concluded that the use of contract investigators is the most realistic means of addressing the workload in an economical manner. This enhanced level would allow the SCM Program to more

aggressively address background reinvestigations of FBI personnel without reducing the level of effort currently afforded to the investigations of non-FBI personnel who have access to FBI facilities or information.

Full funding of the SCM Reinvestigation Program would ensure that the FBI could complete all initial security background investigations and five-year security reinvestigations in the year in which they were initiated. Currently the FBI does not possess the resources to do so. The lack of a dedicated reinvestigations/initial security investigations workforce leads to the continuation of cases from one year to another. The full \$8,000,000 would provide the FBI with the ability to possess a workforce dedicated only to the conduct of initial security background investigations and five-year security reinvestigations. This funding would also allow the FBI to redirect field agents to priority operational programs.

Based on the above, the FBI is requesting \$8,000,000, which includes \$7,566,000 for contract investigators to address reinvestigations and other SCM Program investigations. An additional \$434,000 is also requested for related field operations. Fiscally, the FBI would be able to redirect investigative (agent) resources while at the same time substantially reducing the costs associated with complying with the DOJ Order 2610.2A and NSD 63.

INITIATIVE: Counterrorism Other Priority Investigations	Perm.	FTE	Amount
	Pos.		
	231	170	\$18,276

To properly identify and address the potential CT threat, the FBI is requesting an enhancement to its intelligence base in 1997 of 231 additional personnel for the IT Program, including 108 additional agent positions (108 workyears) and 123 additional support positions (62 workyears). With these additional personnel, the FBI would be able to more aggressively pursue terrorism matters. Without these resources, the FBI would have a less than adequate intelligence base which would limit the effectiveness of the CT Program.

The FBI's CT Program is a high priority due to the increasing concern both in the United States and abroad about acts of terrorism perpetrated by groups and individuals. The United States, because of its size, extensive borders, open society, and involvement in the global political arena, is constantly vulnerable to terrorist attacks, as evidenced by the 1993 World Trade Center bombing. Terrorist infrastructures and support networks are in place in this country. There is a heightened concern that certain terrorist groups may be motivated to initiate attacks in the United States in response to U.S. foreign policy initiatives or out of desire to neutralize dissident behavior within emigre communities. Therefore, the FBI must fully maintain its aggressive counterterrorism initiatives both at home and abroad. The nature of the terrorist investigation requires prompt response to investigations from FBI field offices and to requests from international sources. Counterterrorism investigations tend to be long-term and intelligence gathering in nature and, therefore, require an extended commitment of agents and support personnel.

The FBI's CT Program lacks adequate staffing to comprehensively address the growing case load for which it is responsible. In the past two years the number of cases handled by the FBI has spiraled upward. Additional agent and support positions are required to counter the CT threat.

NAME OF DECISION UNIT: Other Field Programs Decision Unit - Violent Crimes									
PERFORMANCE INDICATOR INFORMATION			PERFORMANCE TARGETS AND ACTUAL RESULTS						
Type of Indicator	PERFORMANCE INDICATORS	1993 Actual	1994 Actual	1995 Actual	1996 Estimate	1996 Target	1997 Target		
Input	1. Investigative Matters Pending Beginning of Year	33,372	33,199	31,059	31,539	31,539	32,024		
Output/	2. Investigative Matters Received	52,677	51,289	47,708	49,043	49,043	50,742		
Activity	3. Investigative Matters Resolved	52,850	53,429	47,228	48,558	48,558	50,241		
	4. Safe Streets Task Forces	66	107	133	138	148	158		
	5. Informations & Indictments	6,781	6,589	6,320	6,450	6,712	6,945		
Intermediate	6. Arrests & Locates	21,851	24,472	24,265	24,500	24,948	25,811		
Outcome	7. Local Arrests	3,932	3,367	3,488	3,500	3,586	3,710		
	8. Recoveries & Restitutions (\$000)	356,320	322,399	371,338	375,000	375,000	385,000		
	9. Fines (\$000)	10,311	13,374	7,182	12,500	10,000	12,000		
End	10. Convictions/Preltrial Diversions	5,836	5,704	5,284	5,400	5,433	5,621		
Outcome	11. Local Convictions	1,863	2,143	2,007	2,000	2,064	2,136		

A. Definitions of terms or explanations for indicators.

(1, 2 & 3) Investigative Matters are the Office of Origin cases.

(5) Informations are actions sought by the United States Attorneys in lieu of indictments. These are usually sought when a plea is expected, however the suspect can reject the information and insist that they be indicted for the offense(s).

(7 & 11) These local arrests and convictions are separate and distinct from the Federal arrests and convictions.

B. Factors affecting Program Performance.

A large percentage of SSTF cases can be prosecuted in either Federal or State courts. In most cases, the jurisdiction chosen for presentation of the case is usually the one in which more severe penalties would be imposed upon the defendants, if found guilty.

C. Factors affecting selection of 1996 and 1997 targets.

The factors are not expected to change with approval of program changes.

NAME OF DECISION UNIT: Other Field Program Decision Unit - Security Countermeasures									
PERFORMANCE INDICATOR INFORMATION									
Type of Indicator	1993 Actual	1994 Actual	1995 Actual	1996 Target	1996 Estimate	1997 Target			
Input									
1. Security Clearance Investigations Initiated	1,792	2,181	618	508	673	122			
2. Industrial Security Investigations Initiated	5,644	5,933	6,974	5,817	7,446	1,395			
3. Security Officer Matters Initiated	75	181	30	25	33	6			
4. Reinvestigations Initiated	3,787	4,804	4,198	3,504	4,435	8,271			
Output/Activity									
5. Investigations Successfully Resolved	....	....	....	....	....	....
6. Reinvestigations Completed	7,239	3,997	1,407	1,334	1,765	9,761			
Intermediate Outcome									
7. Damage Assessments Undertaken	54	83	65	34	71	13			
8. Applicant Adjudications	275	517	2,389	1,987	2,438	476			
End Outcome									
9. Security Clearances Revoked/Dismissed	9	6	2	2	2	1			

A. Definition of Terms

B. Factors Affecting 1996/1997 Performance Measures Targets

- 1996 estimates are based on actuals received through January 26, 1996.

- Investigations conducted by the Security Countermeasures Program are predominantly background investigations, and not criminal investigations; hence, the low number of arrest, indictments, and convictions attributable to the Security Countermeasures Program.

- The number of reinvestigations completed is attributable to EO 1650 which mandates that the FBI conduct full field reinvestigations of on-board employees and contractors in the process of being reemployed. The number of reinvestigations completed is designed to reduce the number of FBI agents needed to comply with EO 1650. In 1997, the increase number of reinvestigations initiated and completed is the result of RICA.

NAME OF DECISION UNIT: Other Field Programs Decision Unit - Counterterrorism Program							
PERFORMANCE INDICATOR INFORMATION							
Type of Indicator	PERFORMANCE INDICATORS						
Input	1. Investigative Matters Pending Beginning of Year	1993 Actual	1994 Actual	1995 Actual	1996 Target	1996 Estimate	1997 Target
	2. Investigative Matters Received	3,563	4,251	4,936	4,650	4,882	4,713
		7,903	9,766	9,235	8,483	9,233	12,209
Output/Activity	3. Investigative Matters Resolved	7,849	9,112	7,432	7,005	7,109	10,487
Intermediate Outcome	4. Number of Arrests	107	70	71	66	79	78
	5. Number of Indictments	76	45	55	51	61	57
	6. Preventions	7	0	5	5	4	7
End Outcome	7. Convictions	90	40	45	42	52	44
	8. Amount of Money Saved Through Early Detection and Prevention of CT Activity	----	----	----	----	----	----

A. Definition of Terms

B. Factors Affecting 1996/1997 Performance Measure Targets

- 1996 estimates are based on actuals through January 20, 1996.
- The number of terrorism arrests as depicted in line 84 is disproportionately high due to the fact that violations, such as passport and visa fraud, are captured in this program.
- Items 4 - 7 do not definitively correlate to the number of CT matters opened and CT matters resolved due to the fact that the FBI must monitor the violent and criminal activities of terrorism groups and group members. The FBI closes these investigations if no proof or indication of violence or criminal activity is apparent.
- Due to the cyclical nature of terrorism, it is virtually impossible to estimate with any accuracy the number of arrests, indictments, preventions, and convictions which will be attributable to the FBI's CT Program in the future.
- The FBI is currently implementing measures to capture and account for the amount of money saved through early detection and prevention of terrorist activity.

**Federal Bureau of Investigation
Salaries and Expenses
Justification of Program and Performance
(Dollars in thousands)**

Training, Recruitment, and Applicant	Perm.		ETE	Amount
	Pos.			
1996 Appropriation Anticipated	851	811		\$85,066
1997 Base	768	730		86,048
1997 Estimate	856	818		92,456
Increase/Decrease	88	88		6,408

LONG-RANGE GOAL: To effectively recruit, process, investigate and appoint the most qualified individuals available to meet FBI staffing needs, to provide initial and advanced professional training and investigative support for FBI Agent and support personnel, and to provide training and retraining sessions to Federal, State, local and international law enforcement officers through the FBI National Academy (NA) and International programs, enabling them to carry out their increasingly complex responsibilities in an efficient, professional, and effective manner.

MAJOR OBJECTIVES:

To recruit and conduct timely and thorough background investigations of FBI applicants and candidates for employment with other Federal Government entities.

To deploy Background Investigations Contract Services (BICS) to all FBI field offices, and continue to expand the types of background investigations conducted by special investigators, in an effort to conduct efficient, cost-effective background investigations for the FBI and other clients.

To graduate New Agent trainees having the necessary skills and knowledge in the areas of informant/intelligence gathering, communications, interviewing and investigative techniques, legal, firearms, and defensive tactics to function as FBI Agents upon assignment to an FBI field office.

To enhance the curriculum and train the approved number of State and local law enforcement officers in the National Academy program.

To conduct necessary FBI in-service training at the FBI Academy and on a regional basis consistent with available funding. To use a variety of innovative approaches (such as

distance learning and performance support) to ensure employees continue to have access to the knowledge and skills necessary to perform their jobs

To host in coordination with the FBI Laboratory at least one technical symposium annually on a topic of broad interest to the forensic community, such as DNA and fingerprint technologies, trace evidence, or an international symposium on crime laboratory development

To provide necessary firearms and related equipment to New Agents to include handgun, handcuffs, leatherwear, eye and ear protection, chemical agents, ballistic protective undergarments, gun cleaning supplies, targets, and ammunition. Shoulder weapons (NP-5s and shotguns) are provided to meet the needs of FBI Field Offices

To maintain the land, buildings, equipment, furnishings, and fixtures of the FBI Academy complex in a manner consistent with and conducive to an effective, efficient, safe, and healthy learning and living environment

BASE PROGRAM DESCRIPTION: The Training, Recruitment, and Applicant Program (TRAP) includes the recruiting, selecting, hiring, and training of new FBI agent and support employees, as well as the continuing education and development of all FBI employees. Base funding in 1997 reflects a transfer of \$4,892,000 from the Violent Crime Reduction Program (VCRP) to Salaries and Expenses. The 1996 Congressional appropriation included an unspecified transfer from Salaries and Expenses to the VCRP; the FBI applies a portion of this one-year only action to the TRAP decision unit. In addition to Salaries and Expenses, the TRAP decision unit also has 1997 funding requested in other FBI appropriations accounts, including \$2,741,000 in the VCRP and \$1,287,000 in Construction.

The FBI is committed to providing high quality training to its personnel and the law enforcement community at large. The FBI conducts its training program at the FBI Academy located in Quantico, Virginia, field offices and off-site locations, and at local, State, and regional facilities throughout the Nation. At the FBI Academy, training is provided for FBI New Agent Training, the FBI, State and local law enforcement officers, Drug Enforcement Administration (DEA) Basic Agent Training, and, as capacity permits, in-service/comprehensive FBI management training, and specialized schools, conferences, and symposia. In addition, the International Law Enforcement Academy in Budapest began operations in April 1995, to address the FBI's training mission in Central Europe.

The FBI New Agent Training Program provides comprehensive instruction to ensure that entry level Special Agents possess the basic knowledge and skills required to serve the American public. Among the components of the New Agent Training curriculum are behavioral science, communications/interviewing, ethics, legal instruction, informant development, physical fitness/defensive tactics, evidence, firearms, Equal Employment Opportunity/sensitivity training, field office administrative operations and procedures, and practical problems. Agent trainees also receive instruction for each of the FBI's investigative programs: organized crime, drugs, violent crimes, white-collar crimes, counterintelligence, terrorism, civil rights, and applicant. The FBI expects to train approximately 1,042 new agents in 1996 and 783 in 1997.

There is a continuing need to provide training and development courses for FBI personnel assigned to field offices and FBI Headquarters. This training is necessary to maintain and enhance the professional skills of FBI personnel in their present assignments, to equip personnel to handle new investigative and administrative requirements, and to develop the leadership and management skills of potential supervisors, managers, and executives. Because of FBI Academy capacity limitations and the emphasis on New Agent Training, most priority in-service training will have to be done on a regional basis in 1996 and 1997.

The FBI also provides instruction for State and local criminal justice practitioners, both at the FBI Academy and throughout the United States at State, regional, and local training facilities. The principal course for State and local law enforcement officers is the FBI National Academy program, an 11-week multidisciplinary program for officers who are considered to have potential for further advancement in their careers by their nominating agency heads. During 1995, 1,029 State, local, and international law enforcement officers attended the FBI National Academy. Three other training opportunities at the FBI Academy exist for State and local law enforcement personnel: the National Executive Institute, a 15-day program for chief executives of the Nation's largest law enforcement organizations; the Law Enforcement Executive Development Seminar, designed and focused upon police chiefs from mid-sized agencies; and the National Law Institute, a one-week specialized training program for State and local police legal advisors and prosecutors.

In addition to sessions offered at the FBI Academy, the FBI conducts and participates in courses and seminars at State, regional, and local training facilities. These training sessions cover the full range of law enforcement training topics, such as hostage negotiations, computer-related crimes, death investigations, violent crimes, criminal psychology, forensic science, and arson. During 1995, a total of 123,629 State and local law enforcement officers were trained by FBI instructors.

After a two-year hiring freeze, the FBI resumed recruiting and hiring of both agent and support employees in late 1994. To conform with the staffing levels provided by the 1995 Justice Appropriations Act, the FBI undertook an aggressive hiring effort to bring on board and train 757 new special agents and 1,579 support employees (including 103 Honor Interns and 614 summer employees). During 1996, plans are to hire an additional 1,042 Special Agents and 2,403 support employees (including 100 Honor Interns and 1,000 summer employees) to bring the FBI to its authorized funded staffing level. Hiring authority for support staff in field offices is being delegated to Special Agents in Charge in an effort to bring these employees on board in the most timely manner.

During 1995, Congress provided funding to begin nationwide implementation of the BICS program. Under this concept, the FBI uses contract investigators to conduct background investigations of persons being considered for FBI and other select Government positions. During the BICS implementation and transition period, both contract investigators and FBI Agents will continue to perform applicant work; however, as non-FBI investigators are recruited, processed, and selected for BICS, the workload will gradually shift toward the contract personnel. FBI personnel will continue to provide recruitment processing, overall management and assignment of background investigations. Additionally, FBI personnel specialists will review the results of contract background investigations for completeness and to determine if further inquiries are required based upon the results provided.

PROGRAM CHANGES:

	Perm. Pos.	FTE	Amount
INITIATIVE: International Law Enforcement International Training			\$2,270

The increase seeks to address the following objectives:

- 1) To promote and increase international law enforcement cooperation through the newly established International Law Enforcement Academy at Budapest, Hungary.

- 2) To create an environment within the international law enforcement community that will facilitate and enhance the FBI's ability to detect and investigate crimes committed against the United States and its citizens

The FBI requests \$2,270,000 to support training activities at both the newly established International Law Enforcement Academy (ILEA) and at venues around the world.

The FBI has made the coordination and delivery of effective international law enforcement programs in the former Soviet Union, Eastern Europe and the Baltic Nations a priority. The centerpiece of these initiatives is the ILEA. The ILEA is a combined effort of the Department of State and all Federal law enforcement agencies within the U.S. Government. The FBI is the lead agency for coordinating all the training sessions at the ILEA. These sessions are conducted by the FBI and other U.S. law enforcement agencies, as well as law enforcement personnel from other countries. Instructors have included law enforcement personnel from Canada, Germany, Hungary, Ireland, Italy, Russia, the United Kingdom, and the European Law Enforcement College in Brussels, Belgium.

The ILEA facility hosts not only specialized training and seminars, but also regular professional development programs similar to the domestic FBI National Academy program at Quantico. The FBI has planned and developed the ILEA program, an eight-week development program conducted five times per year. The focus of this program is on leadership, personnel and financial management of the investigative process, and other contemporary law enforcement issues. During 1995, three 8-week sessions of the ILEA were completed. New productive, cooperative relationships have been established not only between the U.S. and the police officers of the participating countries, but between and among the students themselves. This interaction will result in a more effective partnership in the fight against international crime. For 1997, the FBI requests \$1,970,000 for ILEA instructors, interpreters, translators and other expenses for training participants.

The ILEA serves as a model for international law enforcement cooperation and training and will result in the involvement of western European countries, who will supply personnel and financial resources in the future, to share the overall costs of the program.

Total operating expenses for the ILEA program in 1997 are as follows:

Student Expenses (from Department of State)	\$1,035,000
Instructor per diem and travel	394,500
Contract Instructors	205,640
Interpreters	600,000
Curriculum development and program evaluation	19,260
Administrative costs	500,000
Facility development expense	\$250,000
Total	\$3,004,400

Although funding is needed for student expenses, the FBI expects the Department of State will pay for all expenses construed as foreign assistance. The FBI is requesting funds for all activities associated with ILEA management and operations having a direct domestic connection.

As crime organizations and their activities become more global, the FBI is being asked with increasing frequency to help foreign law enforcement organizations learn the most up-to-date techniques to help them in their investigations. Cooperating with foreign law enforcement organizations and conducting sessions to assist these organizations has a direct effect upon U.S. law enforcement effectiveness in investigating and prosecuting certain crimes. The FBI requests \$100,000 for travel, interpreters, and translation services to support training seminars in countries around the world, beyond Eastern Europe, the Baltics and the former Soviet Union.

Perm.			
Pos.		FTE	Amount
...	...	...	\$227

**INITIATIVE: Restoration of Infrastructure
Background Investigations Contract Services (BICS)**

The increase seeks to address the following objectives:

1. To support the expansion of the BICS program to all field offices.
2. To cover all background investigations through 36 investigative subclassifications.
3. To offset the contractor costs associated with hiring former Federal investigators, hereafter known as Special Investigators, to perform direct funded background investigations of those non-FBI applicants associated with the General Background and Special Inquiry subprograms.

The FBI is requesting an increase of \$227,000 to support the expansion of the BICS concept to all 36 background investigation subclassifications (types of background investigations). The base level of funding would enable the FBI to expand its operation into 44 Field Offices and handle 27 different investigative subclassifications and reimbursable entities as currently performed. However, an additional \$227,000 is required to expand the program to all 56 Field Offices and to cover nine additional investigative subclassifications.

The BICS program was implemented in 1990 and funded by Congress in 1995. The FBI anticipates a requirement to perform approximately 8,385 direct funded background investigations in 1997, resulting in a total requirement of \$8,385,000 for special investigator contract costs. Approximately 36 percent (estimated 3,000 in 1997) of the background investigations are from other sources outside the FBI (the White House, Federal courts and certain Congressional committees) and are submitted through the Special Inquiry and General Background Investigation Subprograms. The remaining background investigations would be performed to hire approximately 2,154 FBI employees (agent and support). The hiring plan includes both attrition and new positions. New positions requested in 1997 include funding for BICS.

Reimbursable funding is available to cover costs associated with reimbursable work performed under the General Background Investigations Unit. However, direct funded Special Agent workyears currently perform most of the background investigations within the Special Inquiry Investigation subprogram. As a result, additional funding would be required to offset the contractor costs associated with hiring Special Investigators to perform these background investigations.

	Perm. Pos.	FTE	Amount
INITIATIVE: Restoration of Infrastructure Transfer of Applicant Reimbursable Funding to Direct Field Support Positions for Applicant Recruiting and Hiring	88	88	\$3,911

The increase seeks to address the following objectives:

1. To support the expansion of the BICS program to all field offices.
2. To provide the program management, contract oversight, and approval of final background investigations as submitted by contracted special investigators.
3. To cover all background investigations through 36 investigative subclassifications through the recruiting and hiring functions.

The FBI requests 88 support positions (88 FTE) and \$3,911,000 to convert reimbursable staff to direct funding as a result of the nationwide implementation of the Background Investigation Contract Services (BICS) program. The primary focus of implementing the BICS program is to continue to provide thorough, cost-effective background investigations for the FBI and other Government entities while redirecting Special Agents from recruiting and applicant processing and background investigations to higher priority investigative programs. The successful implementation of the BICS concept is dependent upon availability of adequate support FTE. Failure to fund the 88 position conversions would result in a loss of staff since reimbursement is no longer collected.

To ensure adequate personnel resources for the overall investigative mission of the FBI, an escalated hiring plan has been initiated to reach and maintain the funded staffing levels for Special Agents and support positions. Upon full implementation of the BICS program, approximately 1500 Special Investigators will be under contract with the FBI to perform background investigations. It is estimated that 337 support FTE would be required in 1997 for the Applicant program to meet the demands of the escalated hiring plan and continue to provide timely high priority background investigations for other Government entities. This level is 36 FTE above the 1996 funded level of 301 FTE (137 reimbursable and 164 direct funded FTE). The requested support positions would provide typing support, program management, contract oversight, and approval of final background investigations as submitted by contracted special investigators.

NAME OF DECISION UNIT: Training, Recruitment and Applicant										
PERFORMANCE INDICATOR INFORMATION		PERFORMANCE TARGETS AND ACTUAL RESULTS								
Type of Indicator		1993 Actual	1994 Actual	1995 Actual	1996 Target	1996 Estimate	1997 Target			
Input										
	1. Number of Agents	118	115	81	100	100	87			
	2. Number of Support	289	288	275	296	296	343			
End Outcome										
	3. Total Number of New Agents Trained	0	64	757	1,042	1,042	880			
	4. Total Number of National Academy Trained	1,017	1,027	1,029	1,040	1,040	1,040			
	5. Total Number of Employees Trained in Specialized In-Services	14,741	10,333	9,038	5,000	4,300	6,000			
	6. Total Number of Persons Trained in the Executive Development Program or Technical Programs	183	165	229	200	200	200			
	7. Total Number of Persons Trained in Specialized and Regional Facilities by Academy Instructors	6,378	5,937	4,055	3,000	2,100	3,000			
	8. Total Number of Schools Conducted at State, Local, and Regional Facilities by Academy Instructors	351	278	209	180	180	200			
	9. Total Number of Persons Trained at State, Local, and Regional Facilities by Academy Instructors	24,992	20,728	15,059	15,000	15,000	16,000			
	10. Total Number of Criminal Justice Personnel Receiving Training at State, Local, and Regional Facilities	141,659	129,238	123,639	120,000	120,000	123,000			
	11. Total Number of International Law Enforcement Trained in Budget	0	0	66	200	200	250			

14. These questions are asked of the National Academy students concerning each course they attended

B. Factors Affecting 1995 Program Performance

- 5. An enhanced funding level for student travel and the absence of New Agent training classes enabled increased training for FBI personnel and priority law enforcement training.
- 8, 9, and 10. Training Division remains supportive of the Field Police Training Program. However, because of the current emphasis on New Agent training, most units are unable to send instructors to conduct field schools.

C. Factors Affecting 1996 and 1997 Target Levels

- 5 and 7. The estimate of in-service training for 1996 and 1997 may be affected by FBI Academy capacity, New Agent training requirements, and availability of instructors and funding.
- 11. In addition to the eight-week ILEA program, the FBI and other agencies will conduct shorter (1-2 week) regional seminars at the ILEA. Additional bootcamps will allow for approximately 140 such seminars annually. The FBI will be allocated a share of this additional bootcamp by the ILEA Steering Committee, which is composed of representatives from the DOS and other Federal law enforcement agencies.

PERFORMANCE MEASUREMENT TABLE PRESENTED BY DECISION UNIT

NAME OF DECISION UNIT: Applicant Program		PERFORMANCE TARGETS AND ACTUAL RESULTS						
PERFORMANCE INDICATOR INFORMATION		1993	1994	1995	1996	1996	1996	1997
Type of Indicator	PERFORMANCE INDICATORS	Actual	Actual	Actual	Target	Estimate	Target	Target
Input								
	1. Special Agent Applications Pending/Received	-	-	21,324	22,000	22,000	22,000	22,000
	2. Support Applications Pending/Received	-	-	7,212	9,350	7,600	9,350	9,350
	3. Reimbursable Background Investigations (BIs) for other Government Entities (OOEs) Pending/Received	1,620	2,046	2,260	2,100	2,116	2,100	2,100
	4. Non-reimbursable BIs for OOE Pending/Received	2,136	2,709	2,683	2,600	2,617	2,600	3,400
Output/ Activity								
	5. Special Agent Applicants Processed (Pre-BI)	-	-	19,524	20,000	21,500	20,000	20,000
	6. Special Agent BIs Initiated	10	91	2,110	1,500	2,600	1,500	2,600
	7. Special Agent BIs Completed	8	89	1,131	1,250	2,500	2,200	2,200
	8. Support Applicants Processed (Pre-BI)	-	-	6,400	8,700	7,000	8,700	8,700
	9. Support BIs Initiated	438	1,100	1,780	6,500	6,000	6,000	3,800
	10. Support BIs Completed	418	1,028	1,599	6,083	3,612	3,185	3,185
	11. Reimbursable BIs for OOE Initiated	922	1,627	1,668	1,500	1,500	1,500	1,500
	12. Reimbursable BIs Completed for OOE	1,201	1,430	1,736	1,900	1,900	1,900	1,900
	13. Non-reimbursable BIs for OOE Initiated	2,027	2,379	2,381	2,200	2,200	2,200	3,000
	14. Non-reimbursable BIs Completed for OOE	2,006	2,292	2,231	2,200	2,200	2,200	3,000
Intermediate Outcome								
	15. Special Agent Applicants Resolved (Employment Offer Decision Made)	-	-	1,099	2,000	1,458	1,458	1,360
	16. Support Applicants Resolved (Employment Offer Decision Made)	-	-	1,963	3,000	2,964	2,964	2,900
	17. Number of Field Offices in Which the Background Investigation Contract Service (BICS) is Deployed*	8	13	11	19	33	33	36
	18. Number of Substitutions in Which BICS has Expanded*	2	24	27	27	27	27	36

NAME OF DECISION UNIT: Applicant Program		PERFORMANCE TARGETS AND ACTUAL RESULTS					
PERFORMANCE INDICATOR INFORMATION		1993 Actual	1994 Actual	1995 Actual	1996 Target	1996 Estimate	1997 Target
Type of Indicator	PERFORMANCE INDICATORS						
End Outcome	19. Percentage of OOR Satisfied with BI Quality and Timeliness	100%	100%	100%	100%	100%	100%
	20. Special Agent Hire	5	61	757	1,300	1,042	880
	21. Support Hire	281	856	1,579	2,434	2,403	1,274
	22. Average number of BIs conducted per FBI hire	2.5	2.5	2.5	2.5	2.5	2.5
	23. Percentage of Reimbursable BIs Completed Within Established Deadline	77%	71%	78%	80%	80%	78%
	24. Percentage of Non-reimbursable BIs Completed Within Established Deadline	74%	68%	78%	80%	80%	78%

A. Definitions of Terms or Expansions

1. Due to a two-year hiring freeze (1992-1994), a backlog of applications was pending (actual numbers not maintained). As a result of the FBI's escalated hiring plan, the backlog was eliminated during 1995.
2. Reimbursable background investigations are those in which the FBI is compensated for the cost of providing the service by the user. The FBI is reimbursed by the Department of Energy, Nuclear Regulatory Commission, Administrative Office of the U.S. Courts, the Department of Justice, and the White House.
3. Non-reimbursable background investigations are funded through the FBI's base level funds. Non-reimbursable background investigations include FBI Special Agent and support background investigations, various Congressional Committees and certain background investigations conducted for the Department of Justice and the White House.
4. Special Agent Applicants are processed in phases. Phase I is a battery of tests comprised of force written tests and Phase II consists of an interview and written simulation tests. Special Agent Processed (Pre-BI) represents Special Agent applicants who passed or failed phase I (battery of tests comprised of three written tests) and phase II (interview and written simulation tests).
5. In 1995, the Level II Presidential appointment background investigations (subclassification 161 B) were converted from direct funded to reimbursable. This is include Assistant Secretaries of Executive Branch departments and independent establishments of Government corporations wherein the requests emanate from the White House.
6. Special Agent Applicants Resolved represents Special Agent applicants who passed Phase II and receive a conditional letter of employment pending background investigation and polygraph results.
7. Support Applicant Resolved represents support applicants who receive a conditional letter of appointment pending background investigation and polygraph results.

18. The different types of background investigations are broken down to subclassifications for Time Utilization Record Keeping. As the BICS Program expands into additional Field Offices, not all types of background investigations (subclassifications) are handled by BICS immediately. Reimbursable subclassifications are handled first, followed by non-reimbursable subclassifications. Currently, the BICS Program is addressing 27 background investigation subclassifications. However, because of shortages in personnel resources, not all 27 subclassifications are handled in each field office where BICS has established a presence.

19. Satisfaction rate based upon verbal liaison with points of contact with other Government entities.

21. The increase in hires include 614 summer employees and 105 Honor Interns. The estimate for 1996 includes 1,000 summer employees and 100 Honor Interns.

23 and 24. Established deadlines vary for each type of background investigation classification. These deadlines have been negotiated with the non-FBI entities for which background investigations are conducted to accommodate their needs and are assigned to FBI Special Agent and support applicant background investigations to accommodate FBI hiring needs.

B. Factors Affecting 1995 Program Performance:

During the two-year hiring freeze, the FBI realigned resources previously assigned to the Applicant Program to higher priority areas. Implementation of the FBI's escalated hiring plan has placed a significant strain on the resources currently available for this program. As a result, realignment of personnel and nonpersonnel resources to effectively and efficiently meet the goals of the Recruiting and Applicant program was required.

C. Factors Affecting Selection of 1996 and 1997 Targets:

In order to complete BICS expansion in all 56 Field Offices by 1997 and address all 36 background investigation subclassifications in each of those offices, a realignment of personnel resources and an enhancement of \$227,000 in base level funds for contract costs is required.

Federal Bureau of Investigation
Salaries and Expenses
Justification of Program and Performance
(Dollars in thousands)

Forensic Services	Perm.		ETE	
	Pos.			Amount
1996 Appropriation Anticipated	513		438	\$45,913
1997 Base	678		640	64,130
1997 Estimate	678		640	66,980
Increase/Decrease	...		...	2,850

LONG-RANGE GOAL: To support the Federal and non-Federal criminal justice systems by conducting scientific analysis of available physical evidence to develop as much probative information as possible to reconstruct the crime and to identify those responsible for such crimes; providing specialized scientific and technical support to ongoing FBI, Drug Enforcement Administration (DEA), and other Federal investigations; providing expert testimony in court; providing specialized forensic science training, analysis, and technical assistance to crime laboratory personnel and crime scene training to law enforcement personnel.

MAJOR OBJECTIVES:

To perform forensic examinations for Federal, State and local investigations for duly constituted and authorized law enforcement agencies.

To conduct specialized forensic science schools at the Forensic Science Research and Training Center (FSRTC) and at various State and local agency locations.

To conduct latent fingerprint examinations and comparisons and to deploy the Latent Fingerprint Section Disaster Squad as required in response to major accidents or natural disasters to identify deceased individuals.

To provide audio/visual enhancements, courtroom exhibits, scale models, charts, and investigative aids to support FBI investigations and to aid prosecutions.

To administer and conduct assurance reviews of the FBI's Polygraph and Contract Linguist Programs that support FBI field investigations.

To increase the number of State and local laboratories participating in the FBI's Combined DNA Index System (CODIS), a national DNA database, and to develop and administer quality assurance standards for the FBI, and other Federal, State, and local forensic laboratories, as required by the Violent Crime and Law Enforcement Act of 1994.

To maintain leadership in the forensic science community by hosting and participating in various scientific conferences and symposia; conduct quality forensic research and training; provide technical assistance to State and local agencies; and share expertise with other Federal, State, and local crime laboratories.

BASE PROGRAM DESCRIPTION:

Base funds in 1997 reflect a transfer of \$13,539,316 and 165 positions and workyears from the Violent Crime Reduction Program (VCRP) to Salaries and Expenses. The 1996 Congressional appropriation included an unspecified base transfer from Salaries and Expenses to the VCRP; the FBI applied a portion of this one-year only action to the Forensic Science decision unit. The Forensic Services program also has 1997 base funding in other FBI appropriations accounts, including \$26,793,000 in the VCRP and \$43,889,000 in Construction.

The FBI Laboratory is recognized as a leader in the scientific analysis and solution of crime in the United States. It is one of the largest and most comprehensive forensic laboratories in the world and the only full-service Federal forensic laboratory. Since its inception, the FBI Laboratory has consistently strived to enhance its service to the law enforcement and criminal justice communities. Through exhaustive analysis, appropriate methodologies are developed to apply the most recent scientific and technological innovations to the examination of forensic evidence in criminal investigations. The reliability of these techniques is crucial, not only to the law enforcement profession, but also the public it serves.

Examinations of evidence are performed, free of charge, for all duly constituted law enforcement agencies in the United States, that do not have access to the sophisticated instrumentation and/or expertise necessary to perform forensic examination(s). In addition, State and local crime laboratory and law enforcement personnel receive FBI Laboratory training in forensic science courses, some of which is not available anywhere else in the country. Without this training, jurisdictional laboratories would find it difficult to improve and expand their capabilities and develop staff expertise.

The FBI Laboratory offers a full range of forensic services and technical assistance including evidence examination, research, training and reference databases. The FBI Laboratory is organized into five groups: Scientific Analysis, Investigative and Operational Support, Latent Fingerprint, Forensic Science Research and Training and Special Projects.

The Scientific Analysis Section (SAS) supports the examination of physical and biological evidence, primarily from violent crime. Approximately 70 percent of the SAS work is submitted by State and local law enforcement. The SAS conducts forensic examinations in the following areas: chemistry/toxicology, including product tampering; explosive

devices, including bomb materials and construction; firearms and toolmark identification, including DRUGFIRE, an investigative database that links serial shooting incidents and identifies weapons used in gang and drug-related crimes; material analysis, including explosive residues, metals, paints, plastics, soils, and glass; hairs and fibers; and DNA analysis and CODIS (Combined DNA Index System), a national database containing DNA profiles of convicted sex offenders and other violent offenders, as well as data regarding open cases and missing persons.

The Investigative and Operations Support Section supports examinations of evidence in criminal investigations, including the analysis of computer-based records seized from criminal enterprises or financial institutions (e.g., banks, savings & loans, and insurance companies); polygraph service, including training and quality assurance of field agent polygraph examiners; racketeering records, including analysis of encrypted records of drug trafficking, gambling, prostitution, money laundering, and other criminal enterprises; and, special photography, including crime scene photography, aerial surveillance, and training and equipping field photographers.

The Latent Fingerprint Section (LFPS) examines crime scene evidence to identify fingerprints, palm prints and footprints. This section also conducts research to develop automated methods for matching latent fingerprints to files of known fingerprints. The Latent Fingerprint Section Disaster Squad responds to disasters to help identify human remains.

The Forensic Research and Training Center (FSRTC) staff, located at the FBI Academy, conducts research to develop new techniques of forensic analysis and provides training to FBI personnel and forensic scientists from State and local crime laboratories. In addition, FSRTC sponsors international training symposia to exchange the technical and scientific information on topics of interest to the forensic community. The FSRTC also publishes the quarterly *Crime Laboratory Digest*.

The Laboratory's Special Project Section provides a wide range of investigative and operational support services to the FBI including: photo processing for Headquarters and field offices; design and construction of trial exhibits and models; video image enhancement; fabrication of specially-designed devices and investigative equipment; and language services, including translation, training and testing of language specialists.

PROGRAM CHANGES:

INITIATIVE: Southwest Border	Perm. Pos.	EIE	Amount
Contract Linguists	\$2,850

The Southwest Border Project (SWBP) is a joint FBI/DEA initiative targeting the four most significant Mexican Drug Trafficking Organizations (MDTOs) which are: Juan Garcia Abrego Organization (JOAO), Amado Carrillo Fuentes Organization (ACFO), Arellano Felix Organization (AFO), and Caro Quintero Organization (CQO). In addition to

targeting the four mentioned core organizations. SWBP also addresses white collar crime, public corruption, violent crime and various other criminal violations arising as a result of the drug trade. For 1997, the FBI is proposing a total increase of 137 positions and \$14,289,000 to combat drug-trafficking and other related criminal activities along the Southwest Border.

Foreign language translation is extremely critical to SWBP investigations due to the international nexus of all of the targeted organized criminal groups which are the focus of the SWBP. Contract Linguists (CL) will play a key role in the SWBP, as investigations will require the use of court-approved wire-taps to develop cases. Consensual recordings and court ordered electronic surveillance pursuant to Title IIIs will be the primary weapons used against the various MDTOs to gather evidence of conspiratorial activities and collect time critical intelligence facilitating seizures, arrests, and other enforcement actions which disrupt their operations. Title III implementation requires contemporaneous monitoring to accomplish statutorily required minimization. Operationally, contemporaneous monitoring is essential to effectively exploit time critical information.

CLs can staff monitoring positions utilizing their language proficiency while relieving language capable Agents for utilization in investigative and enforcement operations. Translation and transcription of Title III intercepts and consensually monitored recordings is highly advantageous in the investigative phase and indispensable in the pretrial phase when the government must comply with discovery requirements relating to the production of documentation for the defense which will be relied on at trial. Typically, these recordings are voluminous, and timely, accurate translation is essential to successful prosecution.

Base level funding for the Contract Linguist (CL) Program has remained constant over the past few fiscal years, despite steadily increasing requirements for foreign language skilled individuals. However, current investigative demands have impacted the CL program heavily in the Spanish language. The demand for CLs to support these cases has increased dramatically over the last three years.

An increase of \$2,850,000 is required to meet the growing demand for CL support to major investigations. The use of independent contractors and translation services is a highly effective and efficient means of obtaining linguists for languages on short notice. An average Spanish-speaking contract linguist costs \$18 per hour. Based on 2,080 hours each year, the FBI determines that it will require \$2,845,000 for the Southwest Border initiative (76 linguists x \$18/hour x 2,080 hours).

PERFORMANCE MEASUREMENT TABLE: PRESENTED BY DECISION UNIT

NAME OF DECISION UNIT: FORENSIC SERVICES										
PERFORMANCE INDICATOR INFORMATION										
Type of Indicator	1993	1994	1995	1996	1997	1998	1999	2000	2001	2002
Indicator	Actual	Actual	Actual	Target	Target	Estimate	Estimate	Estimate	Estimate	Estimate
1. Examination Requests	15,254	13,379	15,312	17,000	17,000	17,000	17,000	17,000	17,000	17,000
2. Specimens Submitted	115,062	113,201	110,334	120,000	120,000	120,000	120,000	120,000	120,000	120,000
3. Latent Prints Received	12,848	14,616	9,082	15,100	15,100	15,100	15,100	15,100	15,100	15,100
4. Photo Requests	19,831	14,384	13,929	15,000	15,000	15,000	15,000	15,000	15,000	15,000
5. Examinations Performed	1,043,764	871,807	832,825	700,000	700,000	700,000	700,000	700,000	700,000	700,000
6. Latent Fingerprint Classes Completed	11,632	10,408	8,103	11,000	11,000	11,000	11,000	11,000	11,000	11,000
7. Latent Fingerprint Comparisons	3,017,774	3,240,367	2,694,944	3,694,000	3,694,000	3,694,000	3,694,000	3,694,000	3,694,000	3,694,000
8. Latent Crime Scenes Processed	80	58	22	100	100	100	100	100	100	100
9. Translated Pages	19,245	11,605	7,837	9,000	9,000	9,000	9,000	9,000	9,000	9,000
10. Polygraph Exams	3,552	3,386	7,605	7,000	7,000	7,000	7,000	7,000	7,000	7,000
11. Polygraph Chart Reviews	14,208	15,767	40,604	40,000	40,000	40,000	40,000	40,000	40,000	40,000
12. Photographs Processed	1,894,227	1,453,802	1,469,367	1,800,000	1,800,000	1,800,000	1,800,000	1,800,000	1,800,000	1,800,000
13. FBI In-Service	22	36	13	18	18	36	36	36	36	36
14. DNA Casework:										
a. Turnaround time in days	137	105	120	80	80	80	80	80	80	80
b. Number of cases completed	2,876	2,509	2,200	2,500	2,500	2,500	2,500	2,500	2,500	2,500
15. Combined DNA Indexing System										
a. Number of convicted offender records	...	...	65,000	80,000	80,000	47,000	47,000	47,000	47,000	47,000
b. Number of forensic records	...	...	15,000	30,000	30,000	15,000	15,000	15,000	15,000	15,000
16. DRUGFIRE										
a. Number of DRUGFIRE Image entries	5,753	12,695	27,128	40,000	40,000	23,000	23,000	23,000	23,000	23,000
17. Testimonies Given	724	650	442	750	750	700	700	700	700	700
18. Testimony Workshops	1,539	1,470	889	1,500	1,500	1,500	1,500	1,500	1,500	1,500
19. Latent Court Appearances	192	204	191	300	300	300	300	300	300	300
20. ERT Road School Training	45	48	35	42	42	42	42	42	42	42
21. Specialized Forensic Classes	51	26	22	26	26	26	26	26	26	26
22. Seminars, Conferences and Symposia	5	2	2	2	2	2	2	2	2	2
23. Hazardous Devices Schools	20	20	20	24	24	24	24	24	24	24
24. Bomb Technician Seminars	12	12	12	12	12	12	12	12	12	12

* Language Services Unit is performing more summaries thereby reducing the actual number of translated pages produced.
 ** The increase in the number of polygraph examinations are due to the Applicant Program which began in March of 1994.

PERFORMANCE MEASUREMENT TABLE, PRESENTED BY DECISION UNIT

Type of Indicator	NAME OF DECISION UNIT: FORENSIC SERVICES									
	PERFORMANCE INDICATOR INFORMATION									
	1993	1994	1995	1996	1997	1998	1999	2000	2001	2002
	Actual	Actual	Actual	Actual	Actual	Actual	Actual	Actual	Actual	Actual
25. Bomb Investigator Schools	24	22	22	13	22	22	22	22	22	16
26. Research Workyears	17	20	16	25	25	25	25	25	25	25
27. Publications & Reports										
28. Combined DNA Indexing System										
a. Number of cases worked using CODIS software	---	---	---	5,000	7,000	7,000	7,000	7,000	7,000	7,000
b. Number of participating laboratories	14	20	43							
29. DRUGFIRE										
a. Number of additional laboratories participating in DRUGFIRE	6	12	10	34	40	40	40	40	40	70
b. Percentage of requests resulting in installation of DRUGFIRE	70%	62%	60%	86%	90%	90%	90%	90%	90%	90%
30. Suspects Identified by Latent Fingerprint Examinations	2,392	1,908	1,960	2,800	2,800	2,800	2,800	2,800	2,800	2,700
31. In-School Students Trained	418	704	704	188	460	460	460	460	460	460
32. ERT Road School Students Trained	600	600	600	600	600	600	600	600	600	600
33. National Academy Students Trained	1,177	1,040	1,077	1,080	1,080	1,080	1,080	1,080	1,080	1,080
34. Students Trained in Specialized Forensic Classes	1,011	923	923	865	865	865	865	865	865	865
35. Seminar, Conference and Symposium Attendees	981	439	502	502	500	500	500	500	500	500
36. Hazardous Devices School Students Trained	384	384	384	384	384	384	384	384	384	384
37. Bomb Technician Students Trained	214	214	214	347	350	350	350	350	350	350
38. Combined DNA Indexing System										
a. Number of CODIS "hits"	11	14	48	80	86	86	86	86	86	86
b. Number of CODIS aided investigations	33	34	70	90	100	100	100	100	100	175
39. DRUGFIRE										
a. Number of direct "cold" and "warm" DRUGFIRE hits	80	250	450	750	400	400	400	400	400	1,400
b. Percentage of case-writes associated by DRUGFIRE	3.8%	4%	4%	4%	4%	4%	4%	4%	4%	12%
c. Number of users trained and passing proficiency tests	63	105	80	120	120	120	120	120	120	150
40. DNA casework										
a. Number of cases per examiner	78	50	80	80	80	80	80	80	80	80

* Language Services Unit is performing more summaries thereby reducing the actual number of translated pages produced.
 ** The increase in the number of polygraph examinations are due to the Applicant Program which began in March of 1994.

WORKLOAD CHART

A. Definitions of Terms or Explanations for Indicators

1. Workload decreased in 1994 due to elimination of State and local property crime casework.
5. Large number of examinations performed in 1993 as compared to 1994 due to two major cases in 1993, TRADEBOM AND WACMUR.
12. Beginning in 1994, in order to reduce turnaround, the Photo Processing Unit no longer processes microfilm for the Criminal Justice Information Services (CJIS) Division.
15. Forensic DNA Records are DNA profiles developed from evidence recovered from crime scenes. DNA Profile Comparisons are the number of DNA profiles compared by the CODIS software in an attempt to solve violent crimes. A CODIS "hit" is a match made by searching Forensic Profiles and Convicted Offender Profiles. CODIS "hits" represent leads generated in violent crime cases that would otherwise not be solved. CODIS-aided investigations are the number of police investigations for which CODIS "hits" provided information.
21. Includes Advanced Latent Fingerprint Schools.
25. Bomb Investigator Schools eliminated in 1994 due to personnel reductions.
26. Areas of research include, but are not limited to, DNA, polygraph, and chemistry/toxicology.
29. Use of the DRUGFIRE system is adversely affected by: insufficient personnel levels in some laboratories; lack of funding to purchase required hardware; continuing network telecommunications costs; insufficient level of FBI and contractor staff; individuals initially trained may not use the system shortly thereafter, resulting in improper or slow use of the system at a later date.
39. A "cold hit" is defined as the association of a pair of cases that were not previously known or suspected of being related. A "warm hit" is defined as the association of a pair of cases that were suspected of being related prior to comparison in the DRUGFIRE system.

B. Factors Affecting 1995 Program Performance

Factors affecting CODIS performance in 1995 are: insufficient staff level to fully support CODIS in the FBI Laboratory; lack of funding for laboratories that wish to participate in the system; an insufficient base budget for a national DNA system (this situation makes effective, long-range contract and program planning difficult); and a lack of adequate FBI funding for contractor-provided staff and services to fully support existing CODIS sites, as well as install new sites and train personnel in State and local laboratories.

The current transition to non-agent examiners has affected 1995 performance. The DNA Analysis Unit is training replacements for the examiners that have left the unit. Additionally, the unit is below TSL. By the end of 1995, 13 individuals (6 technicians and 7 examiners) should be hired. It is anticipated that this increase in personnel will help improve 1996 performance. However, the current space is not sufficient for optimum performance. If these space issues are not addressed, it could have a negative impact on 1996 performance.

Additional funding for the CODIS system will increase the application of this system. Currently, the DNA Unit does not process many UNSUB cases. The addition of these cases will dramatically increase the workload. There are approximately 106,000 rapes annually. Also, the DNAU does not currently examine evidence from many "missing person" cases. It is critical to the usefulness of CODIS that sufficient funding, personnel and space are provided to address the anticipated increase in caseload.

Federal Bureau of Investigation
Salaries and Expenses
Justification of Program and Performance
(Dollars in thousands)

Information Management Automation and Telecommunications	Perm. Pos.	FTE	Amount
1996 Appropriation Anticipated	945	864	\$136,642
1997 Base	945	864	168,111
1997 Estimate	1,074	929	168,438
Increase/Decrease	129	65	3,327

LONG-RANGE GOAL: To support the FBI's information collection, storage, retrieval, and dissemination requirements through the acquisition and utilization of automated data processing and telecommunications (ADPT) resources and implementation of the FBI's Long-Range Automation Strategy (LRAS), and to facilitate lawful public access to FBI records in response to Freedom of Information/Privacy Acts (FOIPA) requests.

MAJOR OBJECTIVES:

To support priority FBI mission requirements for handling large amounts of seized/subpoenaed and intelligence information for case, program, and intelligence management by distributing information to all field offices, legal attaches, resident agencies, and task forces in a timely, secure, and cost-effective manner using an integrated information, application, and technical architecture.

To provide rapid, on-scene support to FBI field offices and, upon request, State and local law enforcement for major investigations requiring time-sensitive capture and retrieval of investigative information in the early stages of investigations.

To support major racketeering, counterterrorism, white-collar crime, organized crime, violent crime, and drug investigation and intelligence operations through the use of advanced computing techniques (such as massively parallel architecture) and multi-media technology (such as voice input and imaging).

To improve information systems and services, anticipate and adopt new capabilities, and facilitate lawful public access to FBI records in response to FOIPA requests, and streamline the various phases of processing functions through procedural and technological changes.

To develop long-range "Information Management Strategies" that facilitate the transition from manual records management practices to modern information technology such as the FOIPA Document Processing System (FDPS), which provides automation support to the current manual, labor intensive process of handling FOIPA requests.

To perform name checks for non-law enforcement and licensing, non-criminal justice, and for employees of private sector government contractors with classified contracts in a timely and efficient manner.

BASE PROGRAM DESCRIPTION: Base funding in 1997 reflects a transfer of \$25,483,000 from the Violent Crime Reduction Program (VCRP) to Salaries and Expenses. The 1996 Congressional appropriation included an unspecified transfer from Salaries and Expenses to the VCRP; the FBI applied a portion of this one-year only action to the Information Management Automation and Telecommunications (IMAT) decision unit.

The IMAT decision unit supports the investigative and administrative operations of the FBI by providing the means for and assistance in management of information resources. This support is accomplished at FBI Headquarters, the Northeast and Western Regional Computer Support Centers, and the Savannah and Butte Information Technology Centers. In addition, an expansive infrastructure of computer workstations, peripherals, related software, data communication network, voice communication, and rental of ADP equipment and commercial services is provided. This infrastructure facilitates the efficient collection, storage, retrieval, processing, dissemination, and policy administration of all investigative information. The IMAT program focuses on increasing productivity and reducing administrative costs through the use of automation.

The increasing complexity and scope of investigative work makes it imperative that FBI employees can readily access on-line FBI investigative databases, possess sufficient local computing power, and receive automated support for the management of case information. For example, health care fraud investigations often involve collecting, analyzing, sorting, and cataloging a tremendous volume of documentation to which investigative personnel and prosecutors must have ready access. Under the auspices of the Office of Investigative Agency Policies, the FBI continues to improve coordination of drug intelligence information with the Drug Enforcement Administration and other Department of Justice components.

The FBI's FOIPA program is a Department of Justice NPR laboratory that provides assistance in identifying and evaluating relevant technologies. The FBI is developing a modular FOIPA prototype system, the FOIPA Document Processing System (FDPS), to demonstrate available technology and to aid in processing FOIPA requests. While customized for the FBI, the modular design of the FDPS and its emphasis on commercial off-the-shelf hardware and software will enable other agencies to identify and acquire element modifications of the FBI's system. The FDPS is scheduled for completion in 1998. The prototype system will allow for a more professional presentation of FOIPA material after processing. Electronic reduction of sensitive information will allow for the discontinued use of opaque markers in reviewing and declassifying FOIPA documents.

The process would allow for more efficient review and would be capable of a more timely turnaround.

The FBI's National Name Check Program involves the dissemination of information contained in the FBI's Central Records System in response to name check requests received from other Federal agencies, Congressional Committees, Federal courts, State and local law enforcement agencies, and select foreign law enforcement and intelligence agencies. This program is a Department of Justice pilot project under the Government Performance and Results Act. The goals of this pilot project are: (1) to reduce the average turnaround time of manual name checks to less than five days; (2) to reduce the number of processing steps currently required to process name checks; (3) to achieve a 100 percent customer satisfaction rate in meeting customer needs; (4) to increase the number of name check clients using residual file processing, resulting in significant saving to both the clients (lower user fees) and the FBI (reduced processing costs); and (5) to enhance residual file processing through the implementation of on-line split screen processing which eliminates the need for multiple name check responses to be printed and viewed manually.

PROGRAM CHANGES:

	Perm. Pos.	FTE	Amount
INITIATIVE: Restoration of Infrastructure FOIPA Document Processing Analysts	129	65	\$3,327

FOIPA analysts protect information essential to the law enforcement mission of the FBI, while complying with laws mandating disclosure. The processing of FOIPA requests is labor intensive, requiring a line-by-line review of each document in order to make disclosure determinations. While the FOIPA mandates response within 10 days, with an additional 10-day extension in unusual circumstances, the extensive backlog has resulted in an average response time in 1995 of 745 days for those requests where documents require review. Despite the FBI's efforts including increased overtime expenditures, the backlog has grown from 4,438 pages in 1993 to 5,485 pages presently while incurring approximately \$500,000 in expenses related to appeals and litigation in 1995.

The FDPS will increase efficiency in document processing by 26 percent; however, the workload of the FOIPA increases by an estimated 900,000 pages each year and the backlog by 20 percent. Upon completion, the FDPS will supplement the efforts of the FOIPA, but will not act as a panacea for its backlog, litigation, appeals, and increased processing demands; additional personnel are required.

The FBI requires 129 additional processing analysts and \$3,327,000 to reduce the increasing FOIPA backlog and to comply with Executive Order 12958. Classified National Security, which is expected to increase the workload of the FBI's FOIPA. The FBI holds 76,936,500 pages of National Foreign Intelligence Program (NFIP) material that must be

reviewed and declassified pursuant to this Executive Order. These additional personnel resources would be located at the Headquarters location to process routine requests, reduce backlog, and execute the objectives of the FOIPA's mission which include: (1) processing requests for access to FBI records; (2) answering administrative appeals; and (3) preparing affidavits and declarations in response to litigation challenging the withholding of information not released. This enhancement will effect a positive change in the operations of the FOIPA. The FBI has responded to these stricter laws and is requesting an enhancement to manage more effectively a predictably larger workload in the years forthcoming.

The lack of available resources and funding for the FBI's FOIPA program places severe limitations on its ability to comply with statutory requirements and court orders. The American people have the right, within statutory limitations, to documents and other material records collected by the Government. Although tedious, time consuming, and expensive, the FOIPA mission is common to all federal agencies and state and local governments. The FBI requests an additional 129 analysts to increase its effectiveness of this mission in compliance with the provisions of the act. The enhancement will allow the FBI to reduce the backlog in pages by 11 percent, raise the level of professionalism of its FOIPA operations, reduce the costs of litigation incurred by the Department of Justice, and improve timeliness in responding to requests, reducing average response time by 101 days for each document requiring review.

PERFORMANCE MEASUREMENT TABLE PRESENTED BY DECISION UNIT

NAME OF DECISION UNIT: Information Management, Automation and Telecommunications									
PERFORMANCE INDICATOR INFORMATION									
Type of Indicator	PERFORMANCE INDICATORS		1993 Actual	1994 Actual	1995 Actual	1996 Target	1996 Estimate	1997 Target	
Input	1. MISs a. Number of MISs Required b. Number of MISs in beginning inventory 2. Mainframe processing power available/required in Millions of Instructions Per Second (MIPS) 3. Direct Access Storage Devices (DASD) storage available/required in gigabytes 4. Rapid Start Deployment requests 5. IIS search requests 6. FOIPA Requests a. Backlog (Beginning of year) (000)Pages b. Pages received in beginning inventory (000) 7. Name Check Requests a. Requests received (000) b. Reimbursable requests received (000)		20,000 12,892 680 760 20 35,047 4,436 900 ...	20,000 15,403 872 1,200 32 51,987 4,486 900 1,778 1,421	23,000 20,199 640 1,942.3 27 56,036 4,882 900 2,197 1,797	23,000 22,659 680 2,610.3 54 68,634 6,485 900 2,030 1,824	23,000 22,659 680 2,610.3 54 68,634 6,485 900 2,233 1,776	23,000 22,819 790 3,910.3 66 78,928 6,776 900 2,335 1,627	

NAME OF DECISION UNIT: Information Management, Automation and Telecommunications							
PERFORMANCE INDICATOR INFORMATION							
Type of Indicator	1993 Actual	1994 Actual	1995 Actual	1996 Target	1996 Estimate	1997 Target	
Output/Activity	PERFORMANCE INDICATORS						
8. Number of IMIs purchased	2,511	1,899	7,077	4,178	1,981	4,095	
9. Mainframe online transactions (in millions) Excluding NOIC	222.9	282.4	400.3	380.4	488.4	660	
10. Rapid Start Deployments	20	32	27	54	84	86	
11. IS Positive search results	32,136	46,178	51,803	63,712	63,712	73,288	
12. FOIPA Pages resolved (000)	642	618	429	608	608	684	
13. Name check activity							
a. Requests-processed (000)		1,760	2,166	2,000	2,200	2,300	
b. Requests-reimbursable (000)		1,400	1,741	1,600	1,790	1,800	
14. Name check activity							
a. Total number of dissiminations		19,668	20,488	22,500	21,000	21,000	
b. Dissiminations-reimbursable		15,888	16,901	18,000	17,000	17,000	
15. ECF (Electronic Case File)				125m	3.2m	8.4m	
16. Unit (United Indices)			87m	52m	64.4m	69.8m	
17. ICIM (Information Case Management)			2m	2.3m	2.2m	2.4m	
18. Name check activity							
a. % of agencies converted from manual to automated requests		20	22	23	23	25	
b. Customer satisfaction level-favorable (%)		84	89	100	100	100	

NAME OF DECISION UNIT: Information Management, Automation and Telecommunications							
PERFORMANCE INDICATOR INFORMATION							
Type of Indicator	1993 Actual	1994 Actual	1995 Actual	1996 Target	1996 Estimate	1997 Target	
End Outcome	PERFORMANCE INDICATORS						
	19 Number of IMSA's replaced	...	4,617	2,390	1,801	3,665	
	20 Number of new IMSA's added to inventory	2,511	1,896	2,460	1,615	400	
	21 FOIPA Backlog (end of year) (000) Pages	4,486	4,881	5,485	5,255	5,145	
	22 Name check reduced turnaround time (average days)	...	5-8	5-8	4-5	4-5	
	23 Maintenance response time	...	...	90	90	90	
	a. Less than 1 second (%)	...	...	98	98	98	
Productivity/ Efficiency	b. Less than 3 seconds (%)	...	...	...	...	...
	24 Arrests as a result of IIS searches	192	342	253	452	432	520
	25 IIS positive search results (%)	92	93	94	93	93	93
	26 Name check activity	...	4.35	4.39	4.35	4.36	4.36
	a. Average cost per request	...	364	373	365	373	375
	b. Average cost per dissemination	...	15,900	19,682	20,000	20,000	20,800
	c. Average units-of-work per FTE	...	...	...	...	...	20,800

Federal Bureau of Investigation
Salaries and Expenses
Justification of Program and Performance
Dollars in thousands

Technical Field Support and Services	Perm. Pos.	FTE	Amount
1996 Appropriation Anticipated	224	212	\$62,522
1997 Base	224	212	110,498
1997 Estimate	292	246	130,343
Increase/Decrease	68	34	19,845

LONG-RANGE GOAL: To provide engineering services, technical support, and equipment to FBI field offices and conduct necessary research and development to adapt technology for deployment against criminal and terrorist activities.

MAJOR OBJECTIVES:

To provide radio communications and technical equipment in support of field investigations.

To address critical shortfalls in technical investigative capabilities including digital telephony, tactical operations, surveillance, and technical training of personnel.

To extend the life cycle of already deployed equipment, which cannot be replaced, by providing preventative and corrective maintenance.

To conduct research and development in support of new technologies in an effort to produce state-of-the-art investigative techniques.

To provide safe and reliable automobile transportation with less vehicle downtime for repair, thereby increasing investigative ability.

BASE PROGRAM DESCRIPTION: Base funding in 1997 reflects a transfer of \$33,246,000 from the Violent Crime Reduction Program (VCRP) to Salaries and Expenses. The 1996 Congressional appropriation included an unspecified base transfer from Salaries and Expenses to the VCRP; the FBI applied a portion of this one-year only action to the Technical Field Support and Services (TFS&S) Program. In addition to Salaries and Expenses, the TFS&S Program also has 1997 funding requested in other FBI appropriations

accounts, including six positions, five workyears, and \$71,134,000 in the VCRP and \$100,000,000 in Telephone Carrier Compliance. The 1997 enhancements requested within these two appropriations include two positions, one workyear, and \$5,725,000 in the VCRP and \$100,000,000 for Telephone Carrier Compliance.

The TFS&S Program supports nine distinct programs. The Radio Engineering Program provides field investigative personnel with a user friendly, reliable, flexible radio system capable of handling all tactical communications requirements; tests and evaluates radios; and provides mobile and portable radios to field offices and a variety of task forces. Mobile radios, an essential component of the FBI's Encrypted Land Mobile Radio System (ELMRS) infrastructure, and portable radios are vital to the day-to-day operations of investigative personnel and provide the only means of communication with the field office and/or other law enforcement agencies in normal or life-threatening situations. The Radio Engineering Program also supports all FBI radio antenna sites and all data circuits associated with the FBI's ELMRS.

The Surveillance Support Program develops, procures, and deploys technology systems to the field which allow for wide area tracking, surveillance, and location of subjects, vehicles, and packages used in the furtherance of criminal activity and operates the Rapid Prototyping Facility. The Special Operations Program conducts research and development and provides FBI field offices with technology which includes miniature transmitters, closed circuit television, electro-optics, and concealments required to conduct investigations. The Electronic Analysis Program performs complex analyses and provides testimonial support on the interception of communications/electronic devices used to perpetrate crimes such as Bomb Detonators, Modified Cellular Telephones, Audio Transmitters, and Electronic Organizers, a password protected, personal memory device. This Program is also responsible for the Special Search Techniques Program, which assisted in the Polly Klaas murder investigation, and the Technical Surveillance Countermeasures Program which inspects FBI space in the United States and overseas.

The Operational Support Program performs complex analyses and provides testimonial support on forensic audio/video evidence in support of field investigations. In addition, this Program provides the Advanced Telephony equipment and systems required to insure that the FBI is able to maintain electronic surveillance capabilities. The Technical Training Program provides specialized training to Electronics Technicians (ETs) and Technically Trained Agents (TTAs) in crucial radio communications disciplines and advanced telephony issues. The Crisis Response Program provides on-scene support, training and furnishes technical expertise to the field in support of special events, major cases, such as the Oklahoma City bombing, and interagency tactical exercises. The Surruptitious Entry Program (Tactical Operations) conducts research and development to defeat physical security systems, provides access control equipment to all FBI space, and performs surreptitious entries under court order.

In addition to the programs above, the TFS&S Program encompasses the Advanced Telephony Program (ATP). This program focuses on the emergence of digital technology and new telecommunications services that are flooding our society and its impact on law enforcement. Until recently, the telecommunications industry had remained virtually unchanged for approximately 50 years. For the most part, the services offered were wireline analog voice; however, the 1980s witnessed the emergence of cordless and cellular telephones, the proliferation of facsimile machines and the promise of high speed transmission of video, voice, and data. The driving factors in these changes are twofold. First, the presence of computers and related digital technology has caused a transition to the information age and a need for timely and voluminous exchanges of information. A second factor in the emergence of new telecommunications services is the increased need for mobility as evidenced by the usage of cordless and cellular phones and paging devices. In 1996, it is estimated that approximately 50 million cordless phones, 20 million cellular phones and 25 million paging devices will be in use. These new services and the need for mobility are the driving forces responsible for the 1990s emergence of advanced telecommunications technologies such as the Integrated Services Digital Network, advanced

cellular and personal communications networks, and enhanced services and features as a result of intelligent networks. The impact that this technology is having and will continue to have on law enforcement cannot be overstated. This technology is expanding; the industry is fiercely competitive with new products and services introduced continuously. These products represent fundamental changes in the way people and businesses communicate, and they pose unprecedented challenges to the electronic surveillance capabilities of the FBI and the entire law enforcement community. Because electronic surveillance is utilized by all levels of law enforcement to combat illegal drugs, violent crime, espionage, white-collar crime, and organized crime, the loss of these techniques would have a devastating impact on the fight against crime. Further exacerbating the problem is the introduction of commercial cryptography which provides protection to conventional and cellular telephone, facsimile, data, and radio communications systems. Today, approximately 500 different encryption schemes are offered on the market to the public, commercial, and government customers. Therefore, in order to maintain court-ordered electronic surveillance capabilities, law enforcement must continue an aggressive development effort to keep pace with the rapidly changing products and services of the telecommunications industry.

Finally, the TFS&S Program supports the maintenance of the FBI's vehicle fleet which continues to age and compile mileage at an alarming rate. With current base level funding, the FBI is on an eight-year replacement cycle, almost triple the General Services Administration (GSA) replacement criteria of three years/60,000 miles. Base level funding will enable the FBI to purchase 1,330 vehicles, 1,200 of which are for replacement purposes.

The \$33,246,000 transferred from the VCRP appropriation consists of \$10,266,000 for radio equipment and maintenance; \$7,926,000 to support Advanced Telephony development and equipment; \$504,000 to support Technical Programs training for ETs and TTAs; \$840,000 for Crisis Response Program equipment; \$2,847,000 to support research and development for criminal programs; \$2,792,000 for Special Operations equipment such as closed circuit television (CCTV), electro-optics, audio collection, and radio frequency transmission equipment; \$2,368,000 for Surveillance Support equipment such as Advanced Specialized Technical Surveillance Vehicles, Radio Surveillance Aids used for tracking and locating, and Rapid Prototyping Facility equipment; \$1,231,000 for Operational Support equipment such as recorders, audio/video signal processing, and Special Cellular Application Team equipment; \$190,000 for Engineering Services; \$166,000 for Electronic Analysis equipment for Technical Surveillance Countermeasures and Special Search Techniques; \$116,000 for equipment required to support the Engineering Research Facility physical plant; and \$4,000,000 for field office furniture and equipment.

PROGRAM CHANGES:

	Perm. Pos.	FTE	Amount
INITIATIVE: Restoration of Infrastructure Field Electronics Technicians	68	34	\$11,511

This increase seeks to address the following objective:

- 1) To provide additional field ETs to support and properly maintain the FBI radio system and to provide automation support to the field offices.

An increase of 68 field ET positions, 34 workyears, and \$11,511,000 in personnel funding is requested. Based upon the personnel allocation formula used for assessing both current and projected resource requirements through 1997, a total of 339 field ETs is required to properly maintain the FBI radio system and to provide automation support to all field offices. This methodology includes a field ET allocation formula that equates the quantity and overall complexity of equipment assigned to the individual field office staff to determine a conservative estimate of each particular field office's ET requirements.

The FBI has the largest civilian law enforcement land mobile radio (LMR) system in the world. The Radio Engineering Program is responsible for the coded and secure communications of over 10,000 FBI investigative employees and an estimated additional 1,000 radio users from other Federal, State, and local agencies who depend upon the FBI's LMR systems for communications support. Field ETs support the FBI radio systems by performing necessary installation, maintenance, and repair down to the component level for all associated communications equipment, including portable, mobile, fixed and remote. The FBI FM radio system requires continuous enhancement and upgrading in order to maintain optimum performance. Such action serves to enhance the system's overall area of coverage, thereby providing maximum communications capability to field office personnel.

The inability to perform scheduled maintenance to the FBI's communications systems has already resulted in failures of the radio system which has made case management and surveillance operations difficult and has placed investigative personnel at great personal risk. Because the FBI has insufficient radios available to meet all investigative requirements, it is imperative that the existing radio inventory be kept in optimum working order. During the past year, field ET duties have continued to expand. Major new responsibilities include the installation, operation, and maintenance of the Microwave Information Gathering Systems. ETs are also assigned technical responsibility for the installation, maintenance, and repair of the FBI's high-speed Token Ring data communications systems to include the components within individual computer terminals. These systems link the entire FBI through a complex and secure network which uses cryptographic equipment and fiber optic cables which pass through strategically located field offices and regional computer centers. These additional demands further strain the 336 currently authorized ETs, necessitating a requirement of 203 additional field ETs. In 1995, field ETs claimed an additional 36,354 hours of overtime and compensatory leave - an equivalent of 4,544 days or 17 workyears. Due to the potential difficulty in hiring 203 field ETs in one year, a three-year hiring plan is proposed in which 68 field ETs each would be hired in 1997 and 1998, and 67 in 1999.

	Perm.		ETE	Amount
	Pos.			
INITIATIVE: Restoration of Infrastructure Replacement Automobiles	\$8,334

This increase seeks to address the following objective:

- 1) To provide the requisite replacement vehicles for investigative personnel.

An increase of \$8,334,000 is requested to initiate a three-year initiative to replace vehicles that exceed 80,000 miles of use. The GSA replacement standard is three years/60,000 miles. The FBI has 10,005 automobiles in its fleet of which 5,095 or 51 percent have in excess of 60,000 miles and, of that number, 1,650 have in excess of 80,000 miles. The FBI's objective is to replace those vehicles with mileage in excess of 80,000 miles to provide safe operating vehicles for investigative personnel. The funding requested would allow the FBI to implement a replacement cycle of three years for vehicles which are beyond their useful lives and will decrease the number of vehicles which exceed 80,000 miles from 1,650 to 85. The FBI has developed performance measures for each year of the planned replacement cycle which will be used to ensure the established goals and objectives are met.

From an operational standpoint, all FBI field criminal and counterintelligence investigative programs are adversely affected by the aging automobile fleet. By maintaining older vehicles with high mileage, increased vehicle downtime and repair costs are incurred. This situation places a burden on field office mechanics to reduce vehicle repair time without consequential effects on safety and reliability. The reduced availability of older vehicles resulting from excessive downtime causes a lack of adequate transportation to conduct operational activities for some investigative personnel. Agents working on major investigations which require large quantities of vehicles on short notice must utilize rental vehicles. Further, without adequate resources to purchase vehicles, the FBI is forced to use rental vehicles for task force personnel. Rental vehicles are more costly and lack the proper law enforcement equipment, such as voice privacy radios. For 1995, total rental costs exceeded \$6,000,000, consisting of over \$4,500,000 for covert operations and over \$1,500,000 for overt rentals.

NAME OF DECISION UNIT: Technical Field Support and Services		PERFORMANCE TARGETS AND ACTUAL RESULTS						
Type of Indicator	PERFORMANCE INDICATORS	1993 Actual	1994 Actual	1995 Actual	1996 Target	1996 Estimate	1997 Target	
Output/Activity	FORENSIC SUPPORT							
	1. Audio/Video Forensic Exams							
	a. Pending	550	581	452	750	708	850	
	b. Requested	1,455	1,407	1,335	1,642	1,669	1,708	
	c. Performed	1,143	1,379	1,456	1,418	1,114	1,418	
	2. Interception of Communications/Electronic Devices (IOC/ED) Exams							
	a. Pending	21	10	10	10	20	20	
	b. Requested	106	82	98	120	120	180	
	c. Performed	84	92	98	120	110	140	
	3. FIELD ELECTRONICS TECHNICIANS*							
	a. Field ETs Required	500	525	525	539	539	539	
	b. Field ETs Available	318	334	334	336	336	404	
	4. MOBILE AND PORTABLE RADIOS							
	a. # of Mobile Radios Required	320	640	640	1,930	1,930	2,000	
	b. # of Mobile Radios Provided	110	110	304	110	100	114	
	5. FIELD INVESTIGATIVE EQUIPMENT							
	a. # of Specialized Tech. Surveillance Vehicles (STSV) Required	37	37	42	69	69	80	
	b. # of STSV Conversions Completed	30	28	35	40	40	26	
	a. # of CCTV Systems Required	2,900	3,500	6,450	7,125	6,700	8,040	
	b. # of CCTV Systems Provided	2,475	2,600	2,400	2,650	2,560	2,560	
	a. # of CCTV Concealments Required	1,425	1,450	1,225	1,500	1,350	1,500	
	b. # of CCTV Concealments Provided	425	470	445	500	600	600	
	6. ANTENNA SITES							
	a. # of Antenna Sites	1,645	1,689	2,250	2,300	2,275	2,350	
	b. Amount of Funding Required for Antenna Sites, Data Lines and Microwave Information Gathering Systems	\$11,273,221	\$12,887,892	\$14,238,242	\$16,741,576	\$16,741,576	\$19,181,576	
	c. Total Available Base Funding	\$9,431,264	\$9,241,576	\$9,241,576	\$16,741,576	\$16,741,576	\$16,741,576	

NAME OF DECISION UNIT: Technical Field Support and Services		PERFORMANCE TARGETS AND ACTUAL RESULTS									
PERFORMANCE INDICATOR INFORMATION											
Type of Indicator	PERFORMANCE INDICATORS	1993 Actual	1994 Actual	1995 Actual	1996 Target	1996 Estimate	1997 Target				
Input	7. REPLACEMENT AUTOMOBILES* Number of Vehicles Purchased	1,028	1,027	2,165	1,330	1,330	2,165				
Intermediate Outcome	Vehicles Eligible for Disposal (EOY) GSA Standards- Three Year/80,000 Miles	3,684	3,689	3,826	4,826	4,826	4,404				
	Vehicles Exceeding Eight Year/80,000 (EOY) Miles (Included in Above Numbers)	1,486	1,378	1,421	1,820	1,820	1,285				
End Outcome	Number of Vehicles Replaced	700	870	1,831	1,100	1,100	1,945				
	Forfeited Vehicles Placed in Use	285	329	181	200	200	200				

A. Definitions of Terms or Explanations for Indicators

1. The number of requests for Audio/Video enhancement are indicators which demonstrate the workload for this program. The workload is approximately 60 percent FBI/DEA, of which 50 percent is FBI and 10 percent is DEA, and 40 percent State and local support. The number of backlogged requests is a direct measure of the understaffing of this program. An increase in the number of backlogged exams occurred during 1995, when this program lost three examiners when two retired and one was transferred after becoming a Special Agent.
2. The Electronic Analysis Unit performs interception of Communications/Electronic Device (IOC/ED) exams, which includes all types of electronic devices used to perpetrate crimes. Examples include Bomb Detonators, Modified Cellular Telephones, and Audio Transmitters. In the past five years, a new device, the Electronic Organizer, a password protected, personal memory device, has been submitted to the IOC/ED program with alarming regularity.
3. Field ETs support the FBI radio systems by performing necessary installation, maintenance, and repair down to the component level for all associated communications equipment, including portable, mobile, fixed and remote. The FBI FM radio system requires continuous enhancement and upgrading in order to maintain optimum performance. These actions serve to enhance the system's overall area of coverage, thereby providing maximum communications capability to field office personnel. In addition, the ETs are also assigned technical responsibility for the installation, maintenance, and repair of the FBI's high-speed Token Ring data communications systems. These systems link the entire FBI through a complex and secure network which uses cryptographic equipment and fiber optic cables which pass through strategically located field offices and regional computer centers.
4. Mobile radio communications are considered to be an essential resource in law enforcement activities and are considered an essential component of the Encrypted Land Mobile Radio System (ELMRS) infrastructure. These radios provide Special Agents and investigative support personnel with essential secure radio communications, ensuring their safety and investigative success. The Portable Radio Program provides portable radios and accessories to the field in support of FBI investigations. Portable radio equipment is vital to the day-to-day operations of a field office, and provides street Agents with the only means of communication with the field office and/or other law enforcement agencies in normal or life-threatening situations.
5. The FBI provides technical equipment to the field for day-to-day use and for special cases. This equipment includes Specialized Technical Surveillance Vehicles (STSVs) to perform covert surveillance, closed circuit television (CCTV) equipment, and CCTV concealments. Performance is measured by the number of requests from the field versus how many of the requests can be satisfied.
6. The Antenna Site Rental Account is used to fund all FBI radio antenna sites and all data circuits associated with the FBI's ELMRS. Figures after 1994 include pay sites and free sites. Figures before 1995 represent pay sites only. The increase required in the account has come about partially due to the increase in coverage of the ELMRS and the license agreements for the sites which include annual increases in the site costs.

B. Factors Affecting 1995 Program Performance

I. Over the past seven years the field investigative accounts have suffered severe reductions in funding due to a variety of reasons. As a direct result, less equipment is procured and deployed to the field for investigative operations. In addition, equipment that is currently in the field is becoming antiquated and in need of replacement.

C. Factors Affecting Selection of 1996 and 1997 Targets

The factors are not expected to change with approval of program changes.

**Federal Bureau of Investigation
Salaries and Expenses
Justification of Program and Performance
(Dollars in thousands)**

Criminal Justice Services	Perm. Pos.	FTE	Amount
1996 Appropriation Anticipated	1,792	1,634	\$206,764
1997 Base	1,792	1,684	191,901
1997 Estimate	1,792	1,684	200,151
Increase/Decrease	..	..	8,250

LONG-TERM GOAL: To provide state-of-the-art identification and information services to local, State, Federal, and international criminal justice community through the development, implementation, and support of the Integrated Automated Fingerprint Identification System (IAFIS), National Crime Information Center (NCIC) 2000 system, and the Uniform Crime Reporting (UCR) program.

MAJOR OBJECTIVES:

To continue the phased move and transition of Criminal Justice Information Services (CJIS) Division personnel and operations from FBI Headquarters, Washington, DC, to a new facility in Clarkburg, West Virginia (WV).

To continue the development of the IAFIS, which includes three major system segments: the Interstate Identification Index (III), the Identification Tasking and Networking (ITN), and the Automated Fingerprint Identification System (AFIS).

To convert approximately 32 million cards to electronic image through the Fingerprint Image Conversion Operation (FICO) project for AFIS and ITN use.

To continue efforts to eliminate existing backlogs in fingerprint cards, manual arrest records, dispositions and other records necessary for an accurate and up-to-date database supporting the Brady Act initiative and other criminal justice, civil applicant, employment and licensing purposes.

To meet the needs of approximately 78,000 NCIC user agencies and requirements of the criminal justice community by continuing to support development of the NCIC 2000 system.

To promote, through biennial audits, compliance by NCIC State Control Terminal Agencies and Federal Service Coordinators with NCIC policies, procedures, and data quality standards recommended by the CJIS Advisory Policy Board (APB) and adopted by the FBI.

To ensure continuation of a user-oriented management process of all CJIS operations by coordinating meetings, developing candidate courses of action, and facilitating informational input from the CJIS APB and regional working groups.

To continue implementation of the National Incident Based Reporting System (NIBRS), the Uniform Federal Crime Reporting Act, and the Hate Crime Statistics Act of the UCR program.

To collect, record, and analyze crime statistics on a monthly, semiannual, and annual basis, and to issue the *Crime in the United States* publication and other information in compliance with the Hate Crime Statistics Act.

To provide training, technical consultation, and other assistance to Federal, State, and local law enforcement for developing and maintaining accurate UCR data and improving management and operational strategies.

To establish an on-line NCIC file for deported criminal aliens which will aid law enforcement agencies in the identification, apprehension, and prosecution of deported criminals for illegal re-entry into the United States.

To establish a protection order file, accessible through the FBI's NCIC and III systems.

BASE PROGRAM DESCRIPTION: The 1996 Congressional appropriation included an unspecified transfer from Salaries and Expenses to the Violent Crime Reduction Program (VCRP); the FBI applied a portion of this one-year only action to the Criminal Justice Services (CJS) decision unit. In addition to Salaries and Expenses, the CJS decision unit also has 1997 funding of \$20,240,000 requested in the VCRP.

The CJS decision unit supports fingerprint identification and related information services to the law enforcement and criminal justice communities. The demand for these services continues to increase annually. During 1995, the FBI processed 9,216,272 fingerprint cards and 8,178,935 pieces of correspondence (dispositions, expungements and other correspondence) for the users of its services. Additionally, more than 36 million transactions/inquiries (name check and criminal record requests) were processed through the III. The FBI is converting its repository of manual criminal history records to a fully automated format. During 1995, 833,326 records were converted. This conversion process continues to add an estimated 67,000 records per month to the fully automated database. Processing dispositions is another area of responsibility that is being automated. Through the Machine Readable Data Project, 81 percent of all dispositions submitted to the FBI are processed by a magnetic tape. Responses to inquiries from service users average approximately 1.4 million pieces of mail per month.

The NCIC is a nationwide computerized information system dedicated to serving criminal justice agencies. It is available to over 78,000 authorized criminal justice customers using more than 118,000 terminals. NCIC activity averages about 2 million transactions daily. In addition, audits, training, investigative, and operational assistance to NCIC users is a function handled under the CJS decision unit.

The FBI is in the process of completely replacing the existing NCIC system with a new generation system, known as NCIC 2000. The NCIC 2000 system will provide both the capabilities of the current system for the compilation, dissemination, and exchange of timely and critical criminal justice and law enforcement information; it will also provide significantly advanced and expanded functionality to serve the criminal justice community into the twenty-first century. The NCIC 2000 contract was awarded to the Harris Corporation in March 1993. Harris delivered its late, Change Order Proposal in September 1993. Beginning in January 1996, the FBI and Harris entered into a Cost Plus Incentive Fee contract arrangement for the remainder of the NCIC 2000 program development effort. Under this contract, the FBI and Harris have agreed to a target schedule. Previous developmental activity costs have been reimbursed to the Harris Corporation on a Cost Plus Fixed Fee contract arrangement. The contractor will be encouraged to manage the remaining effort in the most economical and efficient manner possible, thereby, providing maximum benefit to the FBI in terms of cost and schedule. In return, Harris could earn greater profits for enhancing its performance and reaching project milestones at earlier dates. According to the target schedule, the NCIC 2000 System is expected to reach Final Operational Capability in August 1999.

The UCR Program provides statistical data concerning the incidence of reported criminal acts from over 16,000 individual law enforcement agencies nationwide. The program also compiles Hate Crime Statistics. The benefits derived from the program are significant and contribute to an increased understanding of the crime problem which confronts the

citizenship of this country. Under this program, the annual *Crime in the United States* publication is produced. Training in the identification and reporting of hate crime by the law enforcement community remains a priority of the FBI. An enhanced UCR Program, the National Incident-Based Reporting System (NIBRS), is currently being implemented by the law enforcement community. The NIBRS program is an expanded, improved program that is designated to meet criminal justice informational needs into the next century.

Base funding includes \$84,400,000 to continue the revitalization and relocation effort of the Criminal Justice Information Services (CJIS) Division. The initial projected IAFIS costs were approximately \$520,500,000. The FBI has experienced schedule delays due to new requirements and integration difficulties, and may require additional funding to develop the IAFIS up to Full Operating Capability (FOC) for the Automated Fingerprint Identification System (AFIS). The IAFIS Program Office is reevaluating its development approach in an effort to minimize the impact of this delay on the criminal justice community.

The Emergency Supplemental Appropriation Act of 1994 provided \$20 million in no-year funding for the FBI to hire 500 term employees to facilitate the transition to the new fingerprint identification facility in Clarksburg, WV. As permanent positions have become available, the CJIS Division has begun converting term employees to permanent positions. The FBI has hired a total of 725 term employees in WV from March 1994, through February 1996, of which it has now converted a total of 621 to permanent status. In addition, 352 CJIS Division employees have transferred to Clarksburg, WV, from FBI Headquarters, bringing the total staffing there to 1,441 employees, or more than 50 percent of the total staffing level of the Division.

The construction of the new fingerprint identification facility in Clarksburg, WV is nearly complete. In August 1995, FBI personnel were relocated from both the Clarksburg and Fairmont Satellite facilities to the new facility. This relocation permitted the closing of the Clarksburg Satellite I facility. The Fairmont facility is being used to store manual (paper) criminal history records. Also, in August 1995, the first portions of the Master Criminal Fingerprint File were relocated from FBIHQ to the new WV facility.

Streamlining efforts have improved the processing capabilities in the Fingerprint Identification program. The goal is to maintain an average processing time of 15 workdays or less until the new system is developed. The fingerprint card backlog had decreased from 996,000 in February 1992, to 128,000 in May 1993. The average processing time decreased from approximately 35 workdays in 1992 to 7 workdays during 1993. However, increasing receipts and personnel transition efforts have resulted in a current backlog of 903,000 cards on October 1, 1995. As a result, current average processing time for all fingerprint cards has increased to 31 days (42 days for criminal and 12 days for civil). In 1995, the FBI received 5,802,085 criminal fingerprint cards, a 5.5 percent increase over 1994. The growth is attributed to the increase in criminal fingerprint cards resulting from criminal activity throughout the country. The relatively less experienced WV workforce has required the FBI to continue to process the more complex and difficult fingerprint submissions at FBI Headquarters.

PROGRAM CHANGES:

INITIATIVE: Violent Crimes	Perm.		ETE	Amount
	Pos.	...		
National Crime Information Center (NCIC) 2000	\$8,250

The FBI is currently overseeing the development of an upgrade to the existing NCIC system, called the NCIC 2000 system. Funding was appropriated for the baseline requirements established in the late 1980's through discussion with the NCIC Advisory Policy Board (APB), who represent the users of the current NCIC system. Since that time, the FBI awarded a contract to the Harris Corporation and development is proceeding. Harris has experienced difficulties in obtaining the necessary technical expertise for software development and schedule delays have occurred. The FBI communicated to Congress a requirement for an additional \$38,000,000 for NCIC 2000 development in October 1995. In the Conference Report to accompany H.R. 2076, depicting the Fiscal Year 1996 Appropriations Bill for the Departments of Commerce, Justice, and State, the Judiciary, and Related Agencies, the Congress has authorized the use of \$22,000,000 from the Department of Justice's Working Capital Fund and \$35,000,000 from the FBI's 1995/1996 ADP and Telecommunications account to complete development of the NCIC 2000 baseline system.

Further discussion with the CJIS APB (formerly the NCIC APB), other Federal agencies, as well as provisions included in the Crime Bill, necessitate the development of two additional files for the NCIC 2000 system, a Deported Felon File and a Protection Order File. The developmental activities associated with these two files are not currently included on the FBI's contract with the Harris Corporation. Similarly, the FBI has not received funding for the implementation of these two new files.

Deported Felon File (DEF)

In response to a request from the Immigration and Naturalization Service (INS), the FBI has agreed to establish an on-line NCIC file for deported criminal aliens. This file will contain the names of criminal felons who might re-enter the United States after being deported. Once encountered by another law enforcement officer, the INS will initiate an investigation for possible prosecution for re-entry after deportation. Moreover, the file will allow law enforcement officers to determine whether individuals may be in the country illegally. The suspect alien will be subject to incarceration and deportation unless INS has granted approval for re-entry.

The DEF will be designed as an inquiry-only file, informing law enforcement officers if the individual being checked has previously been deported. It is projected that the file will initially contain approximately 22,000 records, with approximately 8,000 new records added annually. The addition of this file to the NCIC 2000 system will require a program increase of \$5,250,000 for computer equipment, software development and testing, installation, training, publications, and contract support.

Protection Order File (POF)

Title IV, Subtitle F, of the Violent Crime Control and Law Enforcement Act of 1994 authorizes the Attorney General (AG) to disseminate to civil and criminal courts, for use in domestic violence and stalking cases, information from "national crime information databases" consisting of, among other records, protection orders. The Act defines "national crime information data bases" as the FBI's National Crime Information Center and the Interstate Identification Index.

The Act also allows Federal and State criminal justice agencies authorized to enter information into criminal justice information databases to include the following in their databases:

- (A) arrests, convictions, and arrest warrants for stalking or domestic violence or arrest warrants for violation of protection orders for the protection of parties from stalking or domestic violence, and
- (B) protection orders for the protection of persons from stalking or domestic violence, provided such orders are subject to periodic verification.

To facilitate the exchange of protection order information, the FBI proposes to establish an NCIC Protection Order File (POF). This file would also be linked with the National Instant Check System (NICS) to identify persons who are ineligible to purchase a firearm under the Brady Handgun Violence Prevention Act, P.L. 103-159. The POF will consist of full NCIC capabilities and will include a unique feature providing users with on-line access to historical data. The database is projected to contain approximately 2.5 million records. The addition of this file to the NCIC 2000 system will require \$3,000,000 for computer equipment, software development and testing, installation, training publications, travel and contract support.

NAME OF DECISION UNIT - CRIMINAL JUSTICE SERVICES		PERFORMANCE TARGETS/1990 ACTUAL RESULTS					
Type of Indicator	PERFORMANCE INDICATORS	1993 Actual	1994 Actual	1995 Actual	1996 Target	1996 Estimate	1997 Target
Output Activity (continued)	4. IAFIS Preliminary Design Review (T)				696	696	697
	5. Critical Design Review						396
	6. Preliminary Design Review						1396
	7. Full Operational Capability						
	B. Segment Goals						
	1. ITN Preliminary Design Review				396	396	396
	2. ITN Full Operational Capability				396	396	396
	3. IAFIS Preliminary Design Review						696
	4. IAFIS Full Operational Capability				196	196	696
	5. AFIS Down Read						697
	7. Fingerprint Image Conversion Operation						796
	A. Critical Design Review		296				696
	B. Preliminary Design Review						696
	C. Full Operational Capability						696
	28. Collecting & Analyzing Crime Trends						796
	A. Uniform Crime Statistical Reports						696
	B. Processed Law Enforcement Agencies						696
	C. Participating in New Crime Data Collection						696
	D. Number of State UCR Programs						696
	E. Number of Federal Agencies in Operation						696
	29. Number of Federal Agencies in Operation	14,600,000	20,305,500	28,360,000	31,397,000	31,397,000	36,437,000
	30. Law Enforcement Personnel Trained on NDC or NDC 2000	8,550	7,004	8,200	8,963	8,963	9,796
	31. Number of Employees Transferred to NDC or NDC 2000	0	9	9	12	12	16
	32. Number of new hires in NDC or NDC 2000	0	0	3	3	3	4
	33. Construction of new building	1,500	1,663	3,000	3,500	3,500	4,000
	A. Request for Proposal	81	200	316	423	423	472
	B. Contract Award	337	623	833	1,263	1,263	1,833
	C. Construction of new building	296					
	D. Beneficial Occupancy Modules A, B, C, & D	795		495			

NAME OF DIVISION UNIT CRIMINAL JUSTICE SERVICES		PERFORMANCE TARGETS AND ACTUAL RESULTS						
PERFORMANCE INDICATOR INFORMATION		1983	1984	1985	1986	1987	1988	1989
Type of Indicator	PERFORMANCE INDICATORS	Actual	Actual	Actual	Target	Estimate	Target	Target
Output of Activity (continuing)	34. Publication and distribution of the Uniform Crime Report (8 of agencies receiving copy of report)		18,000	16,000	18,000	16,000		16,000
	35. Fugitives identified through posting of wanted notices		44,275	54,898	50,000	50,000		50,000
End Outcome	36. Implementation of DAFB A. Interagency Coordination B. Full Operating Capability	34,587						300
	37. Implementation of NCIC 2000 *							1200
	38. Identification of Division to West Virginia							6700
	39. Wanted Persons arrested & missing persons located as a result (off-line)	152	260	260	300	300	300	300
	40. Arrests made as a result (off-line)	13.8	17.6	42	40	40	40	40
	1. Criminal Enterprises		13.8	13	12	12	12	12
	2. Civil Enterprises							

A. Definitions Of Terms Or Explanations For Indicators

3. All pending requests from previous year for fingerprint processing, updating records for final dispositions, training, and making speeches (training and speech making involve traveling to numerous locations).
10. The UICR Act data is to be reported according to the requirement in the FBI's UICR program. There exists a congressional mandate to report crime investigated by Federal Law Enforcement and Investigative agencies.
14. A comparison between fingerprints received to those retained by the FBI for criminal identification purposes.
15. Limited information (name checks) received on individuals for comparison to that information retained by the FBI for criminal identification purposes.
16. Information or requests received from various contributors, Congress and the general public who provide information to update the criminal records, or request access to certain record information retained by the FBI.
17. Complete criminal history record requests received on individuals for comparison to that information retained by the FBI for criminal identification purposes.
18. Information received from various law enforcement entities updating dispositions of criminal actions. This information is entered into FBI records so as to maintain a current record. During 1995, the State of California began submitting Machine Readable Data Project submissions and the FBI's California backlog was eliminated.
19. Authorized law enforcement personnel accessing NCIC for criminal information.
20. Training provided to the law enforcement community on the NCIC system.
21. UCR travel involves CJIS personnel going to various places to collect criminal data, conduct studies, and provide training and assistance to law enforcement agencies.
23. The conversion of fingerprint cards and biographical data from hard copy records to microfilm. This effort is made to save storage space. The CJIS Division initiated a major microfilm project to convert inactive criminal history records to microfilm.
24. The conversion of fingerprint cards and biographical data from hard copy to an automated system.

25. Each state is audited every two years. FBI personnel travel to each state to determine if law enforcement agencies are complying with NCIC policies and procedures.
 26. The IAFIS is the development and implementation of the most technologically advanced, large-scale automated criminal justice information services system, based upon image capture, storage and retrieval. IAFIS will provide continuous, accurate and timely fingerprint identification and criminal history services to the law enforcement community. The key concept is the electronic submission of fingerprint images and related information, rapid search, identification, and response while an offender is still in custody. A(1-7) and B(1-7) are the various milestones in developing the System.
 27. The current NCIC System will be upgraded to become NCIC 2000. This system will provide on-the-spot fingerprint checks of those persons with active records in the missing and wanted persons files.
 28. Criminal information collected and compiled for trend analyses. UCR statistical information is distributed to 16,000 law enforcement agencies.
 30. The large increase between is attributed to the necessity to provide training and orientation support at the State and local level for NCIC 2000, helping address improvements for data entry quality, ease of use and system security for Law Enforcement contributors.
- B. Factors Affecting 1995 Program Performance**
- 14,17 Budgetary Constraints
 - 29,30. Lack of sufficient resources at the Federal and State levels (Implementation of NIBRS and the UICR Act)
 - 1-13. Unpredictable and uncontrollable fingerprint work increases
 36. Reductions of staffing level due to the relocation of Division and transition overhead for Relocation process
 - 26(B-7) Contract Protest
 - 26,27 Vendor/Government performance

27. Technical difficulties

14. Movement of fingerprints to Headquarters (HQ) to WV and back to HQ during the transition.

40. Increasing receipts and personnel transition efforts have contributed to the current 903,000 card backlog reached on October 1, 1995. As a result, current average processing time for all fingerprint cards has increased to 32 days (42 days for criminal and 12 days for civil). During 1995, the FBI received 5,332,017 criminal fingerprint cards and 4,501,479 civil fingerprint cards. These figures indicate a 9 percent increase in criminal fingerprint card submissions and a 18.8 percent increase in civil fingerprint card submissions over 1994. The loss of experienced personnel during the transition to West Virginia has also had an immense affect on the FBI's ability to keep up with these increasing demands.

Detailed Explanations Of Factors Affecting IAFIS Completion:

Phase III of the Automated Fingerprint Identification System (AFIS) contract was successfully awarded in January 1996, to Martin-Marietta, a Lockheed-Martin company. Total contract award value was \$109.4 million and the period of performance is not to exceed ninety-six months. No protests were filed. With that award, all major IAFIS segments are under contract. Also presented with that award was an incremental development approach which promises active involvement with the user community to provide functional capability early and reduce the risk of integration, minimized hardware requirements, and little disruption to on-going FBI operations. The IAFIS Program Management Office (PMO) is currently reviewing, with the various development contractors, the impact of assimilating this incremental development approach into the entire IAFIS acquisition strategy. The IAFIS PMO will provide updates on this evolving situation in its quarterly status reports to the Department of Justice and the Congress.

An IAFIS users group meeting was held in August 1995. The purpose of this review was to foster communication and exchange of information between the IAFIS developmental contractors, representatives from the user community, and the IAFIS program management personnel. A follow-up session, to insure the user community is kept current with development status, occurred in April 1996.

Detailed Explanations Of Factors Affecting NCIC 2000 Completion:

The NCIC 2000 contract was awarded to the Harris Corporation in March 1993. This contract called for an Initial Operating Capability (IOC) by March 1995. The Harris Corporation has not met this anticipated IOC date. Harris delivered its latest Change Order Proposal in September 1995. Beginning in January 1996, the FBI and Harris entered

into a Cost Plus Incentive Fee contract arrangement for the remainder of the NCIC 2000 program development effort, as opposed to the Cost Plus Fixed Fee arrangement existing in the contract up to that point. Under this contract, the FBI and Harris have agreed to a target schedule. The contractor will be encouraged to manage the remaining effort in the most economical and efficient manner possible; thereby, providing maximum benefit to the FBI in terms of cost and schedule. According to the target schedule, the NCIC 2000 System is expected to reach Final Operational Capability in August 1999.

C. Factors affecting Selection of 1996 and 1997 Targets

14.17. Budgetary Constraints

29.30. Lack of sufficient resources at the Federal and State levels (Implementation of NIBRS and the UFGCR Act)

1-13. Unpredictable and uncontrollable fingerprint work increases

36. Reductions of staffing level due to the relocation of Division and transition overhead for Relocation process

26(B-7) Contract Protest

26.27. Vendor/Government performance

27. Technical difficulties

14. Movement of fingerprint cards from FBI Headquarters (HQ) to WV, back to HQ during the transition

40. Increasing receipts and personnel transition efforts have contributed to the current 903,000 card backlog reached on October 1, 1995. As a result, current average processing time for all fingerprint cards has increased to 32 days (42 days for criminal and 12 days for civil). During 1995, the FBI received 532,017 criminal fingerprint cards and 4,501,479 civil fingerprint cards. These figures indicate a 9 percent increase in criminal fingerprint card submissions and a 18.8 percent increase in civil fingerprint card submissions over 1994. The loss of experienced personnel during the transition to West Virginia has also had an immense effect on the FBI's ability to keep up with these increasing demands.

**Federal Bureau of Investigation
Salaries and Expenses
Justification of Program and Performance
(Dollars in thousands)**

Management and Administration	Perm.		FTE	Amount
	Pos.			
1996 Appropriation Anticipated	1,302	1,223		\$108,625
1997 Base	1,302	1,223		116,330
1997 Estimate	1,302	1,223		116,330
Increase/Decrease	...	...		...

LONG-RANGE GOAL: To provide effective national and organizational leadership, policy development, direction, control, and administration of FBI personnel and financial resources.

MAJOR OBJECTIVES:

To provide the Director and executive management with accurate and timely information, data, and advice to assist them in discharging their responsibilities.

To coordinate and provide effective support for litigation arising from administrative and investigative operations.

To perform inspections of FBI field offices, Legal Attaches, and FBI Headquarters divisions and offices, to conduct audits of the FBI's financial records, automated data processing systems and special accounts, and to ensure that the audits are conducted in a timely manner.

To increase the public's awareness of FBI activities and accomplishments through publications, radio, and television programs and to represent the interests of the FBI in response to Congressional inquiries.

To provide an effective Equal Employment Opportunity (EEO) counseling process that promotes confidence among employees in the EEO process.

To provide administrative support to all FBI entities through: maintenance and repair of the J. Edgar Hoover Building; acquisition and release of space provided by the General Services Administration (GSA); and personnel services, including career guidance and development, pay and leave administration, position classification, and staffing.

To provide financial support and services through effective budgetary justification, financial and operating plan analyses, payroll administration and processing, automotive fleet management, contract review, disposition of forfeited and seized property, procurement and property management, relocation and transportation services, and accounting in accordance with Federal Government Accounting Standards.

BASE PROGRAM DESCRIPTION: The FBI's Management and Administration Decision Unit includes the Policy Development and Implementation, the Office of Equal Employment Opportunity Affairs (OEEOA), the Office of Public and Congressional Affairs (OPCA), the Office of General Counsel, Inspection, Personnel and Finance program activities.

Policy Development and Implementation: Through this activity, FBI executive management provides national organizational leadership, as well as, effective direction, control and administration of resources.

Office of Equal Employment Opportunity Affairs: This Office is responsible for the handling of all EEO complaints, the developing and monitoring of Special Emphasis programs, monitoring and tracking of all personnel systems, and training in EEO matters for all employees.

Office of Public and Congressional Affairs (OPCA): The OPCA communicates information on FBI policies, responsibilities, investigations, services, programs, and accomplishments to the general public, media and scholars. The OPCA is responsible for Congressional relations, including the preparation of testimony for the Director and other FBI officials; the review of legislative proposals that may affect FBI operations, administration or resources; and formulation of new legislation for the Department of Justice. Other functions include: facilitating Congressional oversight; responding to constituent inquiries that may affect FBI operations; and conducting liaison with the General Accounting Office.

Office of General Counsel (OGC): The OGC is responsible for providing timely legal advice to (and conducting legal review, analysis and research for) the Director, the Deputy Director, FBI Headquarters (HQ) divisions and offices, and field offices with regard to investigative operations; conducting reviews of administrative forfeitures and petitions for remission or mitigation; coordinating the defense of civil claims and litigation; representing the FBI in administrative operations (i.e., budget, ethics, travel, etc.); and providing legal instruction to classes of FBI, DEA, FBI National Academy and other special schools.

Inspection: This program activity is responsible for performing periodic inspections of FBI field offices, Legal Attaches and FBI Headquarters divisions and offices; conducting administrative inquiries, including reviews of shooting incidents; and conducting periodic financial, financial-related, and electronic data processing (EDP) audits, conducting evaluations of program activities and functions to improve related efficiency, economy and effectiveness, and coordinating and monitoring all aspects of the FBI's strategic planning process. The FBI Office of Professional Responsibility (OPR) is responsible for investigating allegations of serious misconduct or criminality made against FBI employees.

Personnel: This program activity provides the following services for all FBI employees: counseling, health care, career guidance, employee benefits, facilities management, pay administration, position classification, staffing, and development of personnel-related policies. This program activity also encompasses the management of the J. Edgar Hoover (JEH) Building, including security and space administration. Federal and legal guidelines such as Title 5 United States Code, Title 5 Code of Federal Regulations (CFR), and Title 28 CFR govern the operations of all entities within the Personnel program activity. The FBI's personnel practices and policies flow from these and other Executive Orders. Personnel/Human Resource Management provides the framework through which the FBI is able to employ approximately 24,000 individuals who provide law enforcement services to the citizens of the United States.

Finance: The Finance program activity provides support and services through the preparation of budgetary materials, financial analyses, contract review, procurement and property management matters, accounting in accordance with Federal accounting standards, payroll administration and processing, automotive management, disposition of forfeited and seized property, and relocation and transportation services. This program activity serves the FBI's Chief Financial Officer (CFO) by providing financial information and analyses, by implementing Government Performance and Results Act (GPRA) requirements and integrating the GPRA into the FBI's budget formulation process. This program activity also includes resources to conduct an independent, limited compliance review of the FBI's implementation of the Federal Managers' Financial Integrity Act of 1982 and the FBI's internal control procedures and documentation in accordance with OMB Circular A-123.

PERFORMANCE MEASUREMENT TABLE: PRESENTED BY DECISION UNIT							
NAME OF DECISION UNIT: MANAGEMENT AND ADMINISTRATION (OFFICE OF EQUAL EMPLOYMENT OPPORTUNITY AFFAIRS)							
PERFORMANCE INDICATOR INFORMATION							
Type of Indicator	PERFORMANCE INDICATORS	1993 Actual	1994 Actual	1995 Actual	1996 Target	1996 Estimate	1997 Enhanced Level Target
Intermediate Outcome	Increase the percentage of EEO counseling matters that are successfully resolved, thereby preventing the filing of a formal EEO complaint.	70.9%	72.8%	71.5%	72.0%	71.5%	72.5%
End Outcome	Reduce the number of formal EEO complaints filed per fiscal year.	112	105	108	106	118	104
Productivity /Efficiency							
FACTORS AFFECTING PROGRAM PERFORMANCE							

A. DEFINITIONS OF TERMS OR EXPLANATIONS FOR INDICATORS:

The recent passage of the Civil Rights Act of 1991 for the first time provides for compensatory damages up to, potentially, \$100,000 by complainants in connection with formally filed EEO complaints. Therefore, there can be an economic incentive for some individuals pursuant of EEO complaints.

B. FACTORS AFFECTING 1996 PROGRAM PERFORMANCE:

It is also important to note that the FBI is undergoing a very significant turnover in personnel, which is anticipated to be continuing at least through Fiscal Year 1997. This change in personnel includes a turnover of individuals in management positions, as well as the hiring of a substantial number of new Special Agent and professional support personnel.

C. FACTORS AFFECTING SELECTION OF 1996 AND 1997 TARGETS:

The move of the Criminal Justice Information Services Division from FBI Headquarters to West Virginia is underway. It is anticipated that this move will have a significant affect on a large number of minority employees, including their possible displacement.

NAME OF DECISION UNIT: MANAGEMENT AND ADMINISTRATION (OFFICE OF CONGRESSIONAL AND PUBLIC AFFAIRS)						
PERFORMANCE INDICATOR INFORMATION						
Type of Indicator	Performance Indicators	1993 Actual	1994 Actual	1995 Actual	1996 Estimate	1997 Target
Output/Activity	1. Tours Given 2. Speeches Written 3. Correspondence Processed 4. fugitives Arrested Via Publicity 5. TV Programs Assistance Provided 6. Motion Pictures Assistance Provided 7. Radio Programs Produced and Aired 8. Publications (The Investigator) Released (000) 9. Prepublication Review Matters Processed 10. Research Assistance Provided To Authors, Scholars, Etc. 11. Congressional Testimony Prepared For Director 12. Congressional Constituent Matters Handled 13. Press Releases Prepared And Disseminated 14. GAO Audits/Reviews Coordinated	16,562 79 38,650 167 57 4 52 242 44 1,488 30 4,360 107 27	11,883 46 33,500 79 50 2 52 242 35 1,229 33 4,373 61 27	12,816 35 33,500 38 191 12 52 136 80 1,560 25 4,400 67 45	16,000 30 37,000 79 50 2 52 136 100 2,000 30 4,500 75 30	16,000 30 37,000 79 50 2 52 136 100 2,000 30 4,500 75 30

A. Definition of Terms or Explanations For Indicators - None

B. Factors Affecting 1995 Program Performance

Where Targets are not shown, activities are externally driven.

C. Factors Affecting Selection of 1996 and 1997 Targets

Where targets are not shown, activities are externally driven.

NAME OF DECISION UNIT: MANAGEMENT AND ADMINISTRATION (OFFICE OF THE GENERAL COUNSEL-000)						
PERFORMANCE INDICATOR INFORMATION						
INDICATOR	PERFORMANCE INDICATORS					
INPUT	1993 Actual	1994 Actual	1995 Actual	1995 Target	1996 Estimate	1997 Target
1. CIVIL LITIGATION MATTERS a. Cases pending beg yr/cases received	2,539	2,539	1,111	1,680	1,831	1,123
2. EMPLOYMENT LAW MATTERS a. Civil Actions & EEO/MSPB matters pending/received	120	233	353	226	413	226
3. CIVIL DISCOVERY AND REVIEW a. Requests pending beg yr/requests received	513	595	545	549	610	646
4. LEGAL FORFEITURE PROGRAM a. Requests received for forfeiture recommendations b. Requests received for petitions review	3,182 838	2,395 639	1,900 650	2,000 700	2,200 779	2,020 848
5. LEGAL INSTRUCTION a. Instructional hours requested b. Research hours required	3,200 4,200	3,300 4,200	3,614 4,200	3,614 4,200	4,102 4,200	4,102 4,200
6. INVESTIGATIVE LAW a. Projects pending at beginning of year b. Number of projects received	124 913	85 519	85 300	124 315	100 350	90 375
7. ADMINISTRATIVE LAW a. Projects assigned	X	X	X	348	450	450

NAME OF DECISION UNIT: MANAGEMENT AND ADMINISTRATION (OFFICE OF THE GENERAL COUNSEL-OGC)							
PERFORMANCE INDICATOR INFORMATION							
INDICATOR	1993 Actual	1994 Actual	1995 Actual	1996 Target	1996 Estimate	1997 Target	
OUTPUT/ ACTIVITY							
8. CIVIL LITIGATION MATTERS a. Cases disposed off/closed	1,401	1,484	X	1,116	1,110	1,110	
9. EMPLOYMENT LAW MATTERS a. Civil & EEO/MSFB actions disposed off/closed	36	119	163	113	115	115	
10. CIVIL DISCOVERY AND REVIEW a. Pages processed (pages reviewed, line-by-line, and redacted privileged information) b. Pages reviewed (redaction work check/d) c. Review/ID pages (per request, reviewer documents for specific reference from main file)	278,249 455,573 1,290,707	184,435 272,781 899,530	X X X	170,000 240,000 1,680,000	185,000 255,000 1,695,000	200,000 270,000 1,710,000	
11. LEGAL FORFEITURE PROGRAM a. Forfeiture recommendations reviewed b. Petitions reviewed	3,072 619	2,441 697	2,000 600	2,100 650	2,310 715	2,541 787	
12. LEGAL INSTRUCTION a. Instructional hours taught b. Research hours expended c. DEA New Agent Classes Graduated d. DEA New Agent Classes Graduated e. National Academy Sessions Graduated f. In-Service Classes Provided Legal Instruction g. Law Enforcement Bulletin Articles Published	3,050 4,200 X X X X X X	3,150 3,800 X X X X X X	3,464 1,925 18 8 20 28 12	3,464 1,925 18 8 20 28 12	3,932 1,200 23 8 20 28 12	3,932 1,200 23 8 20 28 12	

NAME OF DECISION UNIT: MANAGEMENT AND ADMINISTRATION (OFFICE OF THE GENERAL COUNSEL-OOC)							
PERFORMANCE INDICATOR INFORMATION							
INDICATOR	PERFORMANCE INDICATORS	1993 Actual	1994 Actual	1995 Actual	1996 Target	1996 Estimate	1997 Target
OUTPUT/ ACTIVITY (CONT.)	13. INVESTIGATIVE LAW a. Projects assigned	952	482	400	416	475	480
	b. Number of incidents of oral advice given	2,172	1,804	1,500	1,716	1,750	1,775
	14. ADMINISTRATIVE LAW a. Projects completed	X	222	X	376	400	400

DEFINITIONS OF TERMS OR EXPLANATIONS FOR PERFORMANCE INDICATORS

2 & 9 - MSPB refers to the Merit Systems Protection Board.

5 - Research is associated with the time required to respond to requests for legal opinions rather than class preparation.

7 - Because of reallocation of responsibilities within OOC (primarily the spinoff of employment litigation matters to the Litigation Section) the manner of capturing budget statistics for the Administrative Law Unit has changed significantly; these changes make the numbers for '93 incomparable.

14 - the increase for Administrative Law projects completed is based on the assumption of responsibilities from other Divisions (legislative analysts), other components of OOC (POBA advice), and pending proposals for more active involvement in contracting activities of the FBI. If requested enhancements are approved, all five positions serve Administrative Law.

FACTORS AFFECTING 1998 PROGRAM PERFORMANCE

1 & 10 (c) - Downsizing initiatives have resulted in delegation of administrative claims and FOIA civil actions to the Chief Division Counsel in each field office. Four hundred positions (418) pending administrative claims would be resolved in 1995; approximately 80 FOIA civil actions would be closed in 1995 and in 1996; pending caseload would therefore drop by 498 matters in 1995. Again, the reduced paralegal staff currently handling this caseload would be increased shortly and would be assisting the attorney staff in the future.

1 (b) - Downizing initiatives have resulted in delegation of new administrative claims (811) and new Freedom of Information Act (FOIA) civil actions (80) to the field offices, resulting in an expected decrease in new cases opened in OGC by 891. The OGC caseload of administrative claims, which is being delegated to the field offices, is currently assigned to a reduced staff of paralegal specialist; this staff would be augmented and its functions restructured. Their new duties would involve providing legal research and administrative assistance to FBI attorneys.

4 (c) - While the number of legal forfeiture requests decreased by approximately 33 percent since 1993, the number of attorneys servicing these requests has decreased by 50 percent during this same period. These attorney positions were reallocated to meet more pressing demands in OGC.

6 & 13 (d) - The decrease in the number of projects received reflects the reassignment of most wiretap application reviews to CID, as well as the transfer of FCI matters to Special Staff. This work consumed about two workyears which are now being used to fill requests for legal advice on operational matters in a more timely fashion.

12 (a & b) - As the number of classroom hours increases, the number of hours available to conduct research associated with requests for legal opinions would diminish. Since every hour of classroom time requires approximately two hours of preparation, the increase in the number of classroom hours has a three-fold impact on the amount of research time available for non-classroom related projects.

12 (c - f) - These outcomes are expressed in terms of number of classes rather than number of students because of the uncertainty regarding the size of the various groups. Additionally, because the same number of research/teaching hours are expended regardless of the number of students, the number of individual attendees is irrelevant.

FACTORS AFFECTING SELECTION OF 1996 AND 1997 TARGETS

14 (g) - Prior statistics are noncomparable (see 7 above) yet include pending requests from prior year.

NAME OF DECISION UNIT: MANAGEMENT AND ADMINISTRATION (FINANCE)							
PERFORMANCE INDICATOR INFORMATION		PERFORMANCE TARGETS AND ACTUAL RESULTS					
Type of Indicator	PERFORMANCE INDICATORS	1993 Actual	1994 Actual	1995 Actual	1996 Target	1996 Estimate	1997 Target
Input	1. Travel Vouchers beginning of year	2,850	3,657	3,429	3,354	3,354	2,000
	2. Travel Vouchers received	132,307	135,652	152,791	163,574	163,574	140,000
	3. Confidential Case Advance Vouchers rec	7,863	5,638	3,801	2,280	2,280	2,379
	4. Number of FBI seizures	5,159	3,639	3,203	3,203	3,203	5,464
Output/ Activity	5. Travel Vouchers processed	131,500	137,648	141,270	138,009	138,009	141,500
	Percent within five days	84%	87.2%	89.54%	92.76%	92.76%	94.5%
	Percent within seven days	11.2%	8.6%	7.92%	4.97%	4.97%	2.3%
	Percent over 14 days	4.8%	4.2%	2.54%	2.27%	2.27%	3.2%
	6. Suspensions issued	469	458	398	381	381	430
	a. Percent of suspensions cleared - 30 days or fewer	62.4%	63.1%	78.14%	82.68%	82.68%	64.4%
	b. Percent of suspensions cleared - 31-60 days	31.5%	31.6%	18.09%	13.91%	13.91%	32%
	c. Percent of suspensions cleared - 61 days or more	6.1%	5.3%	3.77	3.41%	3.41%	3.6%
	7. Confidential case vouchers processed	7,743	5,925	3,693	2,215	2,215	2,331
	8. Suspension notifications issued	...	...	979	881	881	466
	9. Percentage of purchase order requests completed in 30 days or fewer	...	65%	73%	69%	69%	70%
	10. Percentage of total contract award amounts saved due to price negotiations	...	...	14%	8%	8%	10%
	11. Number of contracts with savings below GSA schedule pricing	...	...	17	12	12	14
	12. Total number of forfeitures	4,590	3,822	2,430	2,430	2,430	3,461
	13. Number of consultations regarding the GPR and performance measures	...	...	3	20	20	20
	14. Percentage of decision units using perf. indicators to support budget requests	...	...	100%	100%	100%	100%
	15. Number of employees given in-house GPR training	...	...	...	200	200	400
	16. Submit formal budget requests to external reviewing authorities	...	10	11	11	11	11
	17. Respond to all budget queries from external authorities	1,008	1,038	880	1,206	1,206	1,392
	18. Prepare budget briefing books for external budget hearings	4	4	4	4	4	4
	19. End user satisfaction level related to 9, 10, and 11	...	...	90%	75%	75%	75%

PERFORMANCE MEASUREMENT TABLE: PRESENTED BY DECISION UNIT

PERFORMANCE MEASUREMENT TABLE PRESENTED BY DECISION UNIT								
NAME OF DECISION UNIT: MANAGEMENT AND ADMINISTRATION (INSPECTION)		PERFORMANCE INDICATOR INFORMATION						
Type of Indicator	PERFORMANCE INDICATORS	1993 Actual	1994 Actual	1995 Actual	1996 Target	1996 Estimate	1997 Target	
Input	1) Personnel Resources	99	63	58	90	77	59	
Output/Activity	2) Inspections	21	21	20	18	29	30	
	3) Financial, Financial-Related, EDP Audits	54	67	85	125	123	125	
	4) Administrative Inquiries/Shooting Incidents/OPR Investigations, etc. Opened	524	522	526	635	630	635	
	5) Administrative Inquiries/Shooting Incidents/OPR Investigations, etc. Closed	481	595	456	580	575	580	
	6) Evaluations/Studies Initiated (Streamlining, NPRM, etc.)	64	54	30	41	36	40	
	7) Evaluations/Studies Completed	63	54	51	11	22	40	
	8) Preparation of Strategic Plan	1	0	0	1	1	1	
Intermediate Outcome	N/A							
End Outcome	N/A							
Productivity/Efficiency	N/A							

A. Definitions of Terms or Explanations for Indicators

2. Inspection - An inspection is a process that incorporates a series of program, management, financial, and compliance audits which: 1) evaluate FBI investigative programs; 2) evaluate FBI division management; 3) identify ways and means of constructively improving the economy, efficiency, and effectiveness of FBI operations; and, 4) determine compliance with applicable laws, rules, and regulations. Should inefficiencies or deficiencies be identified, the OI makes recommendations for improvement or issues instructions for correction, as appropriate. Each of these activities requires periodic training and education for personnel performing inspection functions.

3. **Audit** - An audit is an objective, systematic examination of evidence for the purpose of providing an independent assessment or evaluation of an area under review. Financial and financial related audits and reviews include determining whether (1) financial information is presented in accordance with established or stated criteria, (2) the entity has adhered to specific financial compliance requirements, or (3) the entity's internal control structure over financial reporting and/or safeguarding assets is suitably designed and implemented to achieve the control objectives. Findings are identified and reported to management and instructions and recommendations are issued. The audits are conducted in accordance with generally accepted government auditing standards.
3. **EDP audits** include determining compliance with rules, regulations, and guidelines in all areas of EDP including operations, security, software development and hardware acquisitions, as well as evaluating the integrity and adequacy of internal controls. Findings are identified and reported to management and instructions and recommendations are issued. Audits are conducted in accordance with generally accepted government auditing standards.
4. **Administrative Inquiries/Shooting Incident Investigations** - Administrative inquiries are internal investigations into alleged misconduct or sensitive matters. Those investigations conducted by the OI are generally of the highest sensitivity. The OI also oversees investigations regarding the discharge of weapons to determine if said discharge was in compliance with the FBI's Deadly Force Policy as well as other applicable rules, regulations, and policies.
6. **Customer Service Plan** - In order to carry out the principles of the National Performance Review, the Federal Government must be customer-driven. The standard of quality for services provided to the public shall be: Customer service equal to the best in business. For the purposes of this order, "customer" shall mean an individual or entity who is directly served by a department or agency. "Best in business" shall mean the highest quality of service delivered to customers by private organizations providing a comparable or analogous service. Customer service standards shall apply to both internal and external customers.
6. **Streamlining** - The Federal Workforce Restructuring Act of 1994 (P.L. 103-226), requires that Federal full time equivalent employment be reduced by 272,000 employees by 1999. This reduction is to be achieved primarily through consolidating or eliminating field offices, reducing management layers, contracting for services where appropriate, and reducing the number of supervisors, headquarters, and support staff, with emphasis on personnel specialists, budget specialists, acquisition specialists and accountants and auditors. Streamlining is a National Performance Review initiative.
6. **Regulations Reduction** - In 1994 the DOJ initiated a review and planned for the reduction of all internal management regulations (directives) relating to its organization, management, and personnel. This activity was undertaken pursuant to Executive Order 12861 and as part of the government reformation efforts of the National Performance Review. This Regulation Reduction action is ongoing and will be a part of the FBI's overall streamlining effort.
6. **National Performance Review Matters** - The National Performance Review is the Administration's ongoing effort to make the Federal government work better and cost less. It is comprised of multiple components and is an ongoing activity within the Department that is fully staffed and moving forward with planned activities.
8. **Strategic Planning** - Strategic Planning is a disciplined effort to produce fundamental decisions and actions that shape and guide what an organization is, what it does, and why it does it. At its best, strategic Planning requires broad scale information gathering, an exploration of alternatives, and an emphasis on the future implications of present decisions.

B. Factors Affecting 1995 Program Performance

The ability of the INSD to perform in a highly effective and efficient manner with regard to the output indicators is to a great degree dependent upon adequate personnel and non-personnel resources. This fact was also set forth as an external factor affecting performance in the 1996 performance indicators exhibit prepared in September of 1994. From 1987 through 1996 the INSD requested annually personnel resources to support these organizational development areas with no success. This has occurred during a time when other Divisions at FBIHQ have continued to increase in overall FTEs. Failure to adequately staff for these organizational activities results in a fragmented approach to these important organizational functions, places the organization at risk with entities in the external environment, and diminishes the potential for success in each topical area.

During April, 1994, a thorough review was conducted of the field office inspection process and staffing of the OI, Inspection Division. Substantial changes have since been made in both the inspection process and staffing of the OI as a result. The revised inspection process was first applied in May, 1994 and has been utilized during each field office inspection since. Under the revised process, emphasis is placed on investigative programs, investigative support operations, and field office management. Inspection findings, including detailed investigative program summaries with recommendations, are issued to the field office at the conclusion of the inspection. A similar revision in the inspection process for FBIHQ entities and Legats was undertaken in 1995.

At the current funded staffing level, the AU is greatly limited in its ability to conduct financial audits and reviews of FBI Headquarters Operations/Systems, EDP Systems, General Ledger Accounts, and major FBI contracts and can therefore only minimally address those areas while carrying out its responsibility to conduct financial audits and reviews of field offices and EDP micro-computer audits during field office inspections.

Retirements and reassignments resulted in a substantial loss of experienced personnel in OPEAU during 1994. The loss of much of OPEAU's experienced evaluation staff adversely impacted the Unit's ability to respond to the full range of evaluation challenges forecasted in previous budget years. Consequently, OPEAU management opened only those highest priority evaluations that could be carried out by existing staff. Although the evaluation undertaken and completed substantially improved FBI programs and procedures, as well as charted important courses of future action in several highly technical areas, many other opportunities are held in an unaddressed status until the current staff has the opportunity to undertake them.

In response to 1995 downsizing, OPR Agent staffing was reduced by 25% (from eight Supervisors to six Supervisors). The reduction in authorized OPR Agent complement has had a dramatic and visible adverse impact on the Unit's ability to carry out its essential mission and achievement of at least one of its goals -- the timely resolution of pending investigations. It is projected, based on 1995 trends, that OPR will initiate and investigate at least 635 new cases during 1996 and at the same rate for future fiscal years without a commensurate authorized increase in personnel resources. If the Bureau's internal disciplinary process is not to be eroded, or become subject to unwarranted outside oversight, the number of Supervisors assigned to OPR should be increased.

C. Factors Affecting Selection of 1996 and 1997 Targets

Indicators will not be affected due to a lack of program changes.

PERFORMANCE MEASUREMENT TABLE: PRESENTED BY DECISION UNIT

NAME OF DECISION UNIT: Management and Administration (Personnel)		PERFORMANCE TARGETS AND ACTUAL RESULTS						
PERFORMANCE INDICATORS		PERFORMANCE INDICATOR INFORMATION						
Type of Indicator		1993 Actual	1994 Actual	1995 Actual	1996 Target	1996 Estimate	1997 Target	
Input	1. Personnel Management Actions Pending/Requested/Initiated	106,676	144,475	145,320	129,016	142,030	158,768	
	2. Personnel Administration/Benefit Actions Pending/Received	63,346	71,141	72,321	75,587	74,200	77,503	
	3. Facilities Management and Security Actions Pending/Received	5,038	8,335	10,264	10,535	10,335	10,752	
	4. Automated Actions Requested/Initiated for Bureau Personnel Management System (BPMS)	6,775	7,700	7,815	8,360	8,000	8,860	
Output/ Activity	5. Number of Transfers, TDY and Detail Assignments Addressed							
	a. Agent	1,055	1,255	847	1,000	1,900	1,900	
	b. Support	771	468	750	550	700	700	
	6. Workman's Compensation Claims Reviewed	1,552	1,650	1,561	1,500	1,500	1,500	
	7. Number of Automation Requests (BPMS) Addressed	6,715	7,700	7,815	8,360	8,000	8,560	
	8. Number of Career Board Actions/Vacancy Announcements Addressed							
	a. Agent	96	282	633	500	545	574	
	b. Support	424	283	528	600	600	600	
	9. Number of Space Requests Approved	105	131	213	235	235	247	
	10. Number of Requests for Facility Services or Alterations Resolved*	7,933	8,204	10,051	10,300	10,100	10,505	
	11. Percentage of Customer Requirement Changes (Alterations Only)	50%	50%	42%	42%	42%	52%	
Intermediate Outcome								

NAME OF DECISION UNIT: Management and Administration (Personnel)		PERFORMANCE TARGETS AND ACTUAL RESULTS							
Type of Indicator	PERFORMANCE INDICATORS	1993		1994		1995		1996	
		Actual	Target	Actual	Target	Actual	Target	Actual	Target
End Outcome	12. Total Number of Transfers, TDY & Detail Assignments Effected a. Agent b. Support	800 413 8	710 184 2	710 184 2	840 710 3	840 710 3	1,000 600 3	1,000 600 4	1,400 710 3
	13. Number of Employees Removed From Dept. of Labor Periodic Role a. Agent b. Support	914 100%	942 100%	942 100%	1,331 100%	1,331 100%	1,333 100%	1,333 100%	1,421 100%
	14. Total Number of Extensions, Relocations and Reassignments a. Agent b. Support	914 100%	942 100%	942 100%	1,331 100%	1,331 100%	1,333 100%	1,333 100%	1,421 100%
	15. Customer Satisfaction Percentage Rate as a Result of Final Inspections (Absenteeism Only)	100%	100%	100%	100%	100%	100%	100%	100%
	16. Percentage of Personnel Actions Processed in Established Time Frame a. Agent b. Support	2.12% 3.14%	5.49% 4.70%	5.49% 4.70%	4.70% 3.92%	4.70% 3.92%	4.59% 5.00%	4.30% 7.00%	4.20% 5.00%

* Indicators were impacted by 1997 Budget Request.

A. Definitions of Terms or Explanations for Indicators

1. Personnel management actions include locating requests and/or actions initiated to accomplish the overall objectives. The actions include performance and award matters; pay and leave matters; disciplinary matters; outside employment matters; support transfers, temporary duty and detail assignments; position classification and career development matters addressed within the centralized office; policy issues, grievances, appeals, and reconsiderations related to the above.
2. Personnel Administration/Personnel actions include locating requests and/or actions initiated to accomplish the overall objectives. These functions include employee benefits and compensation, health services and employee relations, Bureau wide OETA training requests.
3. Facilities Management actions include the number of requests for space acquisition, release of space, services and/or alterations.
4. Automated Actions requested/initiated for the Bureau Personnel Management System (BPMMS) include all SDM/79 System enhancement submitted; Action reports prepared; hardware communication support calls handled; and, security access requests received/processed.

5. A major objective of the FBI is to effectively distribute resources through an efficient and timely Special Agent and support selection, staffing and transfer process.
 6. Workman's compensation claims are filed as a result of employees getting injured on the job. The claims are reviewed and adjudicated prior to submission to the Department of Labor.
 8. Number of Career Board Action/Vacancy Accommodations includes actions addressed by the centralized personnel office.
 9. The number of space requests are for all space matters associated with the acquisition, alteration and release of space provided by the GSA to house the FBI's 56 field offices and currently 397 resident agencies. These numbers include requests for additional space, relocation, lease expirations, evidence storage, full three investigations and expansion requirements.
 10. The requests for services and alterations are for such services as painting, replacement of carpet, duct work, electrical circuits, electrical outlets, installing ceiling tiles and other alterations related to the operation of the FBI FBI Building.
 11. Intermediate inspections are conducted to insure code requirements and job specifications are performed to customer satisfaction. Percentages is based upon the number of alterations made at the request of the customer and/or code violations.
 - 12a. Additional transfer funding in 1995 made available through reprogramming actions. Enhancement request for additional agents would impact the number of transfers required.
 - 12b. The increase in 1995 includes CIS Division transfers and temporary duty (TDY) assignments required for Oklahoma City bombing incident.
 13. FBI employees who are injured on the job and are not able to return to work and/or retire reside on the Department of Labor periodic rolls. The FBI is charged for the compensation paid to these individuals even though they may be off the Bureau rolls. The FBI is to review the Department of Labor rolls and determine if there are positions where an employee and/or former employee could be placed in an effort to remove them from the compensation rolls, thus reducing the amount of money charged.
 15. Field inspections of space are conducted to insure code requirements and job specifications are performed to meet the need of the customers. Customer satisfaction rate is based upon verbal contact with the user.
 16. Acceptable time frames for processing all personnel actions are currently being reestablished with customer input.
 17. Includes employees (Agent and support) who are separated from the rolls of the FBI. Attrition rate ultimately impacts the workload of the Management and Administration Decision Unit.
- B. Factors Affecting 1995 Progress Performance**
- The impact of the downsizing and movement of personnel at FBIHQ in connection with reorganization presently underway has had a significant impact upon the workload of the decision unit. Major projects, such as the relocation of the CIS Division, the conversion of Special Agent workyears to professional support in the Laboratory Division and the Office of General Counsel,

implementation of Digital Technology, etc., have increased requirements for prompt administrative support. The high profile and Congressional oversight of these projects along with additional mandated requirements by Director Peck such as increased security, shorter time frames for disciplinary action, and an extended hiring plan to support immediate investigative needs, have altered very little flexibility in reassigning personnel and further reduced the fiscal personnel resources.

The FBI is currently pursuing several long range initiatives that would increase productivity in addition to the number of employees required while continuing to provide quality administrative services to all FBI offices, e.g. Title 5 reorganization, review of the performance appraisal system and revision of the Merit Promotion and Placement Plan.

As a result of the recent bombing incident in Oklahoma City, large amounts of space requests have been submitted for special investigations, and the FBI anticipates additional emergency requests for space in 1995.

Increases in the number of alterations are due to building deterioration as a result of the building being 28 years old. These alterations are primarily the result of original construction of the building. As a result of a study conducted by Peck, Peck and Associates, Inc. on 9/1/94, \$44 million was identified to address the needs of the J201 FBI Building. The study was to give OMA a complete evaluation of existing conditions, a comprehensive plan of repairs and alterations, and the estimated cost involved. This will enable the government to plan and budget work required to maintain the satisfactory operation and appearance of the building. Therefore, increasing alterations are necessary to maintain the building at a sufficient operating level.

C. Future Altering Subtotals of 1995 and 1997 Targets

Several factors will have major impact upon the Management and Administration decision unit during 1995 and 1997. As a result of the extended hiring plan and the increased number of FBI personnel on board additional administrative support from all areas within the decision unit will be required. The extended hiring of employees will impact overall productivity.

It is estimated that retirements will continue at an usually high rate causing a trickle effect upon hiring, the career based and vacancy address which will further impact the smaller operation.

The continued effort to relocate the CIB Division to West Virginia and the subsequent inventory separation of CIB Division employees who do not choose to relocate (beginning September 30, 1995) will significantly impact the staffing, transfer and employee maintenance responsibilities within the decision unit.

An increase in 1995 for Guard Services is projected due to increased security concerns as a result of the Oklahoma City bombing. Several offices have requested that guard services be provided to various building and company grounds.

An increase in space requests for expansion, alteration and relocation is anticipated to address some of the security concerns and to accommodate increases in agent personnel. In addition to the CIB and Laboratory Division's needs the FBI J201 Building, an enormous project would be necessary to renovate the building. It is projected that this would be included in a phased operation, as CIB Division expects to see up space beginning in 1996/1997.

**Federal Bureau of Investigation
Salaries and Expenses
Status of Congressionally Requested Studies, Reports, and Evaluations**

The Conference Committee Report accompanying H. R. 2076, the Department of Justice 1996 Appropriations Act (Report No. 104-378), directed the FBI to submit to the Committees on Appropriations a plan for the FBI international operations that is developed jointly by the Department of Justice and the Department of State. The FBI's Legal Attache expansion plan is being reviewed by the Department of Justice and the Department of State and will be submitted to the Committees upon approval.

Both the House and Senate Reports direct the FBI to provide a construction plan and time line for completion of the proposed new FBI Laboratory facility. Currently, a preliminary Architectural and Engineering study is ongoing at the FBI Academy in Quantico. Construction is scheduled to begin in May 1998 and end in December 2000. A detailed construction plan and time line was transmitted to the Committees on November 30, 1995.

The House and Senate reports directed the FBI to provide a construction plan and time line for the construction of the new FBI Laboratory facility. This construction plan and time line was submitted to the Committees on Appropriations on November 30, 1995.

The Senate Report (104-139) directed the FBI to report the status of the NCIC 2000 and the IAFIS projects and to institute quarterly briefings for Committee staff. The NCIC 2000 status report was submitted February 2, 1996 and the first quarterly briefing was conducted on February 6, 1996. The IAFIS status report was submitted to the Committees on March 20, 1996. Quarterly briefings will be scheduled after submission of the initial status report.

Both the House and Senate reports directed the Office of Investigative Agency Policies (OIAP) to submit to the Committees on Appropriations a five-year strategic plan for reducing violent crime in this country. It is anticipated that this plan will be submitted to the Committees in April 1996.

The House Report (104-176) directed the OIAP in consultation with the Department of Interior and Agriculture, the best methods to address increasing crime on Federal public lands and submit its findings to the Committees. It is anticipated that this report will be submitted to the Committee in April 1996.

**Federal Bureau of Investigation
Salaries and Expenses
1987 Priority Ranking**

BASE PROGRAM		PROGRAM INCREASES	
Program	Ranking	Program	Ranking
White - Collar Crime	1	Technical Field Support and Services	1
Other Field Programs	2	Organized Criminal Enterprises	2
Organized Criminal Enterprises	3	White - Collar Crime	3
Technical Field Support and Services	4	Forensic Services	4
Forensic Services	5	Other Field Programs	5
Criminal Justice Services	6	Criminal Justice Services	6
Training, Recruitment, and Applicant	7	Training, Recruitment, and Applicant	7
Information Management, Automation, and Telecommunications	8	Management and Administration	8
Management and Administration	9	Information Management, Automation, and Telecommunications	9

Category	1995			1996			1997		
	Author- ized	Reim- bursable	Total*	Transfers**		Other Program- Increases	Total		
				Auth.	Reimb.			Auth.	Reimb.
Criminal Investigative Series (1811)	9,781	901	9,785	849	(108)	182	10,074	740	
Fingerprint Identification (072)	740	217	740	217	...	740	740	217	
General Administrative and Clerical (300-399)	5,718	987	5,539	928	(88)	286	6,014	840	
Professional/Technical	6,465	1,049	6,416	1,049	...	271	6,857	1,049	
Total	22,714	3,134	22,563	3,042	(196)	749	23,685	2,846	
Washington	8,107	1,500	5,934	5,934	165	151	6,250	5,912	
U.S. Field	16,486	1,634	16,508	16,508	208	560	17,306	16,334	
Foreign Field	121	...	121	121	...	8	129	121	
Total	22,714	3,134	22,563	22,563	373	749	23,685	22,367	

* Includes the one-year only transfer of 127 SA positions and 246 support positions to the Violent Crime Reduction Program (VCRP).

*** Transfer includes: Transfer back of 127 SA positions and 248 support positions from the VCRP.

Assessment Questions

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THE UNIVERSITY OF CHICAGO

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**Federal Bureau of Investigation
Salaries and Expenses
Summary of Changes
(Dollars in thousands)**

	Perm. Pay	Work- Year	Amount 1997
1998 Appropriation Anticipated.....	22,583	21,166	\$2,211,187
Adjustments to base:			
Transfer to and from other accounts.....			
Transfer from Violent Crime Reduction Program.....	373	373	103,882
Transfer from direct to reimbursable.....	(26)	(26)	--
	348	348	103,882
Mandatory Increases:			
1997 Pay Rates and Locality Pay Adjustment.....	--	--	32,729
Annualization of 1998 Locality Pay.....	--	--	4,434
Annualization of 1998 Pay Rates.....	--	--	11,272
Annualization of 1998 Positions.....	140	140	23,089
Annualization of 1998 Program Increases.....	480	480	28,308
Cost Annualization of 1998 Supplemental.....	--	--	42,083
Foreign Allowance.....	--	--	87
Accident Compensation.....	--	--	818
Travel Message Allowance Rate.....	--	--	962
General Services Administration Rent.....	--	--	7,789
Commerce Business Daily.....	--	--	5
Distributed Administrative Support.....	--	--	3,131
General Pricing Level Adjustments.....	--	--	10,708
Total, Mandatory Increases.....	--	620	196,143
Decreases:			
1998 Oklahoma City/Counterterrorism Amendment.....	--	--	(22,000)
Nonrecrual of Working Capital Fund Base Transfer.....	--	--	(448)
Total, Decreases.....	--	--	(22,448)
1997 Base.....	22,836	22,127	2,458,759
Program Changes.....	749	474	89,824
1997 Estimate.....	23,685	22,601	2,548,583

Federal Bureau of Investigation
Salaries and Expenses
Justification of Adjustments to Base
(Dollars in thousands)

Transfers to and from other accounts:

	Per- son-	NY	Amount
	nel		
1. <u>Transfers from Violent Crime Reduction Program</u>	373	373	\$103,882
In 1997, these resources are being transferred from the Violent Crime Reduction Program to Salaries and Expenses. In 1996, a total of 127 agent and 246 support and other nonpersonnel items totaling \$103,882,000 were included in a base transfer from Salaries and Expenses to the Violent Crime Reduction Program.			
2. <u>Transfer of Support Workyears from Direct to Reimbursable</u>.....	...	-25	...
For one-year only, the FBI transferred 25 support workyears from reimbursable to direct address the backlog of background investigations. This action is being reversed in 1997.			
<u>Total, transfers</u>	373	148	103,882
<u>Increases:</u>			
1. <u>1997 pay raise and locality pay adjustment</u>.....	...	...	32,729
This request provides for the proposed 3.0 percent pay raise and locality pay adjustment			

Justification of Adjustments to Base (continued)
(Dollars in thousands)

	Perma. Pos.	NY	Amount
to be effective in January of 1997 and is consistent with Administration policy, included in the 1997 President's budget. The amount requested, \$32,729,000, represents the pay amounts for three-quarters of the fiscal year plus appropriate benefits. The request includes \$26,183,000 for pay and \$6,546,000 for benefits.			
2. Annualization of 1996 locality pay adjustment.....	\$4,434
This adjustment represents the first quarter amounts of the locality pay increase received in January 1996, plus appropriate personnel benefits.			
3. Annualization and increase of 1996 pay raise.....	11,272
This pay annualization represents first quarter amounts (October through December) of the 1996 pay increase of 2.4 percent, plus appropriate personnel benefits and the additional amount required above the 2.2 percent originally requested for the three-quarters of the year (\$9,017,600 for pay and \$2,254,400 for benefits).			
4. Annualization of 222 additional positions approved in 1996.....			
This provides increase for the annualization of the 222 additional positions approved in the Counterterrorism Amendment. The 1996 amendment provided between 25 and 50 percent of the total costs for the 222 positions/92 NY. The annualization requested provides funds for the remaining costs.	23,089

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Justification of Adjustments to Base (continued)
(Dollars in thousands)

Required	Approved Increase	Annualization	Per Pos.	NY	Amount
Personnel Compensation.....	\$3,435	\$9,668	...	480	\$29,308
Personnel Benefits.....	2,501	4,865			
Travel.....	229	586			
Trans. of things.....	640	122			
Rent.....	339	1,178			
Communications/Utilities.....	137	695			
Other Services.....	2,024	2,806			
Supplies/Materials.....	214	693			
Equipment.....	2,351	2,512			
Total cost subject to annualization.....	12,472	23,089			

5. Annualization of the 1991 Program Increases.....
This request provides funding for the annualization of the 910 positions approved in 1995. This annualization NY of covers the agent and support NY for the field Organized Crime, Violent Crime, Legal Attache Programs, field support and Brady Act implementation.

Justification of Adjustments to Base (continued)
(Dollars in thousands)

Required	Approved 1995 Increases	Annualization
Personnel Compensation.....	\$23,537	\$13,638
Personnel Benefits.....	11,536	6,868
Travel.....	513	676
Trans. of things.....	780	1,198
Rent.....	0	248
Communications/Utilities.....	269	655
Other Services.....	6,510	5,231
Supplies/Materials.....	405	363
Equipment.....	10,294	431
Total cost subject to Annualization.....	54,344	29,308

Perm Pos.	NY	Amount
.....	...	43,083

6. Cost Annualization of the 1995 Supplemental.....
This request will provide full funding for the 427 positions received with the 1995 supplemental. The 1995 supplemental provided one-time only costs of \$77,140,000. To provide full funding for the costs associated with 427 positions, \$42,083,000 is required in 1997.

Justification of Adjustments to Base (continued)
(Dollars in thousands)

	Perm. Fnd.	NY Amount \$ 87
7. Foreign allowances..... Allowances for Government employees in foreign areas are determined by the Department of State (DOS). The requested increase of \$87,000 provides a 3.1 percent increase over the obligations projected for 1996.
8. Accident compensation..... This increase reflects the billing provided by the Department of Labor for the actual costs in 1995 of employees' accident compensation. The 1997 amount will be \$818,000.	...	818
9. Travel-mileage allowance rate increase..... The mileage allowance rate has increased from 25 to 30 cents per mile. An increase of \$692,000 is requested in 1997 to cover this rate adjustment.	...	692
10. General Services Administration (GSA) rent..... GSA will continue to charge rental rates that approximate those charged to commercial tenants for equivalent space and related services. The requested increase, \$7,789,000, is required to meet our commitment to GSA. The costs associated with GSA rent were derived through the use of the automated system, which uses the latest inventory data and GSA-provided 1996 rates.	...	7,789
11. Commerce Business Daily Printing Increases..... The Commerce Business Daily announced that, effective October 1, 1995, it will charge \$18.00 for printing any notice in its publication. The increase of \$5,000 covers the estimated cost for this new charge.	...	5

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Justification of Adjustments to Base (continued)
(Dollars in thousands)

	Perm Pos	NY Amount
12. <u>Distributed Administrative Support (DAS)</u>.....	...	\$3,131
The current Foreign Affairs Administrative Support (FAAS) will be replaced by the International Cooperative Administrative Support Services (ICASS) system. ICASS will be modeled as a Cooperative Administrative Support Unit (CASU) which will charge for services on a workload basis. Previously, the Department of State funded the majority of these services through its appropriations. DOJ's cost will increase substantially under ICASS. An increase of \$3,131,000 is requested.		
13. <u>General pricing level adjustments</u>.....	...	10,708
This request applies OMB pricing guidance as of June 11, 1995, to selected expense categories. The increased costs identified result from applying a factor of 2.9 percent against those subobject classes where the prices that the Government pays are established through the market system instead of by law or regulation. Generally, the factor is applied to supplies, materials, equipment, contracts with the private sector, printing cost, transportation costs and utilities.		
Total, Increases.....	620	166,143

Justification of Adjustments to Base (continued)
(Dollars in thousands)

Decreases:	Per Pos.	NY Amount
1. Nonrecrual of 1996 Counterterrorism Amendment one-time personnel module costs.....	...	\$- 469
2. Nonrecrual of the Working Capital Fund Base Transfer.....	...	-22,000
In 1996, \$22,000,000 is to be transferred from the Working Capital Fund. These funds are being nonrecurred in 1997.		
Total, Decreases.....	...	-22,469
Total, Adjustments to Base.....	373	968 247,576

**Federal Bureau of Investigation
Salaries and Expenses
Summary of Employment by Grade and Object Class
(Column in thousands)**

	1995 Actual		1996 Estimates		1997 Request		Increase/Decrease	
	Positions & Workyears	Amount	Positions & Workyears	Amount	Positions & Workyears	Amount	Positions & Workyears	Amount
Grades and Salary Ranges								
Executive Level II, \$13,600	1		1		1			
ES-4 \$11,544	15		16		16			
ES-3 \$11,450	29		30		32			
ES-2 \$10,964	81		80		90			
ES-1 \$10,400	52		38		38			
ES-2 \$9,549	1		2		2			
ES-1 \$9,044	1		1		1			
GS/GM-15 \$71,486-\$5,531	523		446		448		2	
GS/GM-14 \$62,473-\$4,217	1,453		1,566		1,566		2	
GS/GM-13 \$52,867-\$3,729	6,889		6,823		7,270		448	
GS-13 \$44,434-\$3,806	2,038		2,237		2,764		527	
GS-12 \$37,944-\$3,223	1,772		2,235		2,410		178	
GS-10 \$31,765-\$3,154	355		1,335		1,384		50	
GS-9 \$30,649-\$3,043	1,416		1,285		1,782		497	
GS-8 \$27,756-\$3,088	990		735		735			
GS-7 \$23,961-\$2,482	2,818		1,842		1,949		107	
GS-6 \$20,333-\$2,320	2,544		2,452		2,452			
GS-5 \$18,085-\$2,115	1,479		891		891			
GS-3 \$14,111-\$2,040	146		61		61			
Ungraded positions	6		27		27			
Locality Pay	446	\$7,557	306	\$15,303	306	\$13,243		\$7,940
1997 pay increase								\$0,983
Total ungraded positions	22,714	1,041,238	22,563	1,114,681	23,485	1,086,350	1,122	\$1,669
Pay above stated annual rates				4,602		4,360		242
Loans	2,135	(96,432)	(1,554)	(72,337)	(1,294)	(99,200)	320	13,137
Savings due to lower pay scales for part of year		(3,548)		(3,771)		(7,746)		(1,975)
Net full-time permanent	20,454	941,258	21,009	1,040,575	22,451	1,133,764	1,442	\$3,189
Other than full-time permanent								
Part-time Permanent	125	3,931	150	3,838	150	2,933		95
Other personnel compensation								
Overtime	304	12,239	279	35,934	279	31,479		(4,455)
Availability pay	2,191	130,964	2,098	130,907	2,245	133,650	147	2,743
Other compensation	72	20,607	71	3,892	71	15,952		12,060
Total, temporary and personnel compensation	23,146	1,108,999	23,607	1,214,146	25,196	1,317,778	1,599	103,633
Average ES Salary		(\$113,482)		(\$116,955)		(\$120,333)		
Average GS/GM Salary		(\$45,167)		(\$46,549)		(\$47,974)		
Average GS/GM Grade		(10.1)		(10.1)		(10.1)		

**Federal Bureau of Investigation
Department of Justice
Summary of Requirements by Credit and Object Class
(Dollars in thousands)**

Object Class	1965 Actual		1965 Estimate		1967 Request		Increase/Decrease	
	WYB	Amount	WYB	Amount	WYB	Amount	WYB	Amount
11.1 Full-time permanent.....	20,454	941,258	21,009	81,043,375	22,451	81,133,784	1,442	983,180
11.3 Other than full-time permanent.....	125	3,831	150	2,838	150	2,833	0	96
11.5 Other personnel compensation.....	2,987	163,810	2,446	170,733	2,665	181,081	147	10,348
Total.....	23,146	1,108,899	23,607	1,214,146	25,166	1,317,778	1,556	103,832
Reimbursable Workyears								
Full-time permanent.....	(2,750)		(2,854)		(2,465)		(-171)	
Other than permanent.....	(277)		(286)		(286)		(-27)	
12 Personnel benefits.....	278,808		314,187		360,428		38,239	
13 Benefits to former personnel.....	368		368		368		0	
21 Travel and transportation of persons.....	46,812		48,788		53,188		4,421	
22 Transportation of things.....	9,500		9,474		11,833		2,369	
23.1 GSA Rent.....	142,033		177,772		189,306		11,533	
23.2 Rental payments to others.....	28,785		19,836		20,866		820	
23.3 Communications, utilities, miscellaneous charges.....	67,845		68,558		72,853		(15,903)	
24 Printing and reproduction.....	2,946		2,483		2,873		80	
25.1 Advisory and assistance services.....	713		1,214		1,124		(90)	
25.2 Other services.....	194,865		191,087		283,468		62,361	
25.5 Research and development contracts.....	865		23,737		1,508		(22,206)	
25.7 Operational maintenance of equipment.....	14,858		43,824		28,915		(9)	
26 Supplies and materials.....	50,982		43,824		28,915		2,836	
31 Equipment.....	203,685		258,384		248,223		(12,161)	
32 Land and structures.....	1,537		3,867		1,422		(2,435)	
42 Insurance claims and indemnities.....	508		508		508		0	
91 Unvouchered.....	0		70		70		0	
Total obligations.....	23,146	2,140,538	23,607	2,238,177	25,166	2,568,851	1,556	171,274
Unobligated Balance, start of year.....		(153,509)		(284,082)		(48,086)		
Unobligated Balance, end of year.....		284,082		48,086		0		
Unobligated Balance expiring.....		8,523		0		0		
Transfer from other accounts.....		0		0		0		
Total requirements.....		2,279,514		2,211,183		2,548,865		
Relation of Obligations to Outlays:								
Total obligations.....		2,140,538		2,238,177		2,568,851		
Obligated Balance, start of year.....		407,000		607,000		173,000		
Obligated Balance, end of year.....		(607,000)		(607,000)		(1,145,000)		
Outlays.....		2,040,538		2,068,177		2,393,851		

**Federal Bureau of Investigation
Status of Construction and Summary of New Facilities Requirements
(Dollars in thousands)**

Project	Funds Status				Total Current Estimate or Actual	Status as of April 1998	Estimated Activation Date
	New Construction		Total Funding	Oblig. to Date			
	Fiscal Year	Amount					
I. Expansion of Existing Facilities							
Headquarters Computer Center Renovation	1993	\$278	\$5,400 *	\$5,400	\$5,400	Renovation is completed.	8/95
	1994	5,124					
Renovation of Headquarters	1998	\$2,640 **	\$13,140	\$26,400	\$530	Architectural & Engineering (A/E) studies contract awarded 2/98; A/E will be completed by 6/98	6/02
II. New Facilities							
Fingerprint Identification Facility in WVA	1990	\$172,489	\$203,130 ***	\$211,000	\$198,641	Construction 98% complete; partial occupancy since 4/95. Complete alterations and furniture purchases remain.	8/95
	1991	12,258					
	1992	10,248					
	1993	8,124					
FBI Academy Tactical Emergency Vehicle Operations Center (TEVOC)	1993	\$3,750	\$5,946 ****	\$5,946	\$3,668	Truck now available for training exercises; construction of support facilities underway.	9/98
	1995	1,273					
	1996	925					
Hostage Rescue Team Tactical Firearms Facility	1994	\$1,079 *****	\$5,679	\$7,442	\$1,078	Final stages of design; construction contract award anticipated in 6/98.	12/97

* Funding provided as part of the National Crime Information Center (NCIC) 2000 project; renovations required to support NCIC 2000 computer system.
 ** Additional funding of \$10,500,000 provided in 1991 Construction account.
 *** Includes \$189,000,000 from the 1990 Drug Enforcement Administration Appropriations Act and the remaining funding is derived from base level and fingerprint identification user.
 **** Received \$3,750,000 through the 1992 Assets Forfeiture Fund Super Surplus; remaining funding reallocated from base.
 ***** Additional funding of \$4,500,000 provided in 1996 Construction account.

Federal Bureau of Investigation
Schedule of Assets and Expenses
Schedule of Motor Vehicles

Method of Acquisition and Type of Vehicle	EOY Inventory	1985			1986			1987		
		Acquired	Disposed	End-of- Year	Acquired	Disposed	End-of- Year	Acquired	Disposed	End-of- Year
Direct Purchase:										
Limo	1	...	325	2,325	...	300	2,225	...	400	2,125
Large sedan	2,408	241	...	...	250	...	...	...	...	...
Medium sedan	5,496	270	...	...	250	...	...	...	...	...
Compact sedan	181	48	...	1,038	...	...	...	...	...	...
Subcompact sedan	57	14	...	...	...	...	...	...	...	...
Sedan wagon	81	...	...	...	...	...	...	...	...	...
Van	428	31	...	...	...	...	...	...	...	...
Ambulance	1	...	...	...	...	...	...	...	...	...
Special Purpose:										
4-wheel drive	554	88	10	600	100	80	620	400	280	740
Trucks:										
Pickup	170	21	90	141	36	25	151	85	55	181
Other	45	5	...	...	...	...	...	...	...	...
Subtotal, purchased	9,551	1,434	1,200	9,785	1,530	1,110	10,005	2,185	1,945	10,225
Lease:										
Large sedan	80	15	15	80	15	15	80	15	15	80
Medium sedan	220	15	15	220	15	15	220	15	15	220
Compact sedan	45	15	15	45	15	15	45	15	15	45
Subcompact sedan	15	15	15	15	15	15	15	15	15	15
Sedan wagon	45	15	15	45	15	15	45	15	15	45
Van	45	15	15	45	15	15	45	15	15	45
Special Purpose:										
4-wheel drive	45	15	15	45	15	15	45	15	15	45
Trucks:										
Pickup	40	15	15	40	15	15	40	15	15	40
Other	10	5	5	10	5	5	10	5	5	10
Subtotal, leased	500	100	100	500	100	100	500	100	100	500
Subtotal, leased or no cost excess:										
Limo	6	2	...	...	...	...	...	...	...	...
Large sedan	124	60	30	154	60	40	174	...	...	...
Medium sedan	474	100	...	...	100	...	...	...	...	...
Compact sedan	15	15	15	15	15	15	15	15	15	15
Subcompact sedan	30	10	10	30	10	10	30	10	10	30
Small sedan	...	...	...	...	...	...	...	...	...	...
Sedan wagon	18	5	5	18	5	5	18	5	5	18
Van	114	25	10	129	25	20	134	15	10	139
Bus	1	...	...	...	...	...	...	...	...	...
Special Purpose:										
4-wheel drive	247	28	20	265	30	25	280	15	10	285
Trucks:										
Pickup	189	45	30	180	45	30	180	30	15	210
Other	122	10	5	127	10	5	132	20	5	137
Subtotal, leased	1,402	300	165	1,537	300	200	1,637	200	100	1,737
Total Vehicles	11,453	1,834	1,465	11,822	1,730	1,410	12,142	2,465	2,145	12,462

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Federal Bureau of Investigation
Salaries and Expenses
Schedule of Aircraft

Type of Aircraft (Passenger capacity)	End-of-Year Inventory	1994			1995			1996			1997		
		Acquired	Disposed	End-of-Year	Acquired	Disposed	End-of-Year	Acquired	Disposed	End-of-Year	Acquired	Disposed	End-of-Year
Fixed Purchase:													
Fixed Wing:													
Single engine (4)	65	2 (1)	...	67	2 (1)	...	69	2 (1)	...	71	2 (1)	...	73
Two engine (6)	2	...	...	2	...	...	2	...	...	2	...	...	2
Turbo prop (8)	...	...	...	...	...	...	...	...	...	...	...	...	...
Helicopter:													
Single engine (2)	3	...	...	3	...	...	3	...	...	3	...	...	3
Subtotal, purchased	70	2	...	72	2	...	74	2	...	76	2	...	78
Seized or No:													
Cost Excess:													
Fixed Wing:													
Single engine (4)	9	...	...	9	...	...	9	...	...	9	...	...	9
Two engine (6)	7	...	...	7	...	...	7	...	...	7	...	...	7
Turbo prop (8)	1	...	...	1	...	...	1	...	...	1	...	...	1
Helicopter:													
Single engine (2 & 8)	8	...	...	8	...	...	8	...	...	8	...	...	8
Subtotal, seized excess	25	...	...	25	...	...	25	...	...	25	...	...	25
Total Aircraft	120	2	...	122	2	...	124	2	...	126	2	...	128

(1) Includes R182 bought at end of 1995 and C-210 bought at the beginning of 1996 based on 1994 commitment.

(2) Based on GSA approval to sell piston twins and use proceeds to purchase two single engine fixed wing aircraft.

(3) Includes two Nightstalker aircraft purchased in 1981 and 1983.

(4) Includes two Bell 206's (New York and Los Angeles) and MD530 (Hostage Rescue Team).

(5) Based on GSA approval to sell B-55, C-47, C-47A, C-47B, and P-51 (Hostage Rescue Team).

(6) Based on GSA approval to sell B-55, C-47, C-47A, C-47B, and P-51 (Hostage Rescue Team).

(7) Includes two B-55's (Los Angeles and New York) and P-51's (Los Angeles and New York).

(8) Includes two B-55's (Los Angeles and New York) and P-51's (Los Angeles and New York).

(9) Represents disposal of Sabreliner (26504) at end of useful life.

(10) Includes four OH-1H's held in excess, four OH-1H's received in excess, two OH-1H's received in excess during prior years, and three OH-1H's received in excess in prior year.

(11) Represents disposal of three OH-1H's for parts, two OH-1H's as excess, and two OH-1H's at end of useful life following Olympics.

Federal Bureau of Investigation
Salaries and Expenses
Justification of Multi-Activity Program Changes
(Dollars in thousands)

Budget Activity/Program	Southwest Border		Int'l Law Enforcement		Counterterrorism		Violent Crimes		Infrastructure		Total Initiatives	
	Pos.	WY Amount	Pos.	WY Amount	Pos.	WY Amount	Pos.	WY Amount	Pos.	WY Amount	Pos.	WY Amount
Organized Criminal Enterprises.....	104	52 \$8,410	8	4 \$3,862	...	...	...	...	...	...	112	68 \$18,972
White-Collar Crime.....	33	17 3,029	...	...	231	170 \$18,278	...	...	...	...	33	17 3,029
National Security.....	...	...	...	...	...	...	...	...	...	...	231	170 28,276
Violent Crimes.....	...	...	...	...	...	...	88	44 \$2,887	...	...	88	44 2,887
Training, Recruitment, and Applicant.....	...	...	...	...	...	...	...	...	88	88 4,138	88	88 9,186
Forensic Services.....	...	...	...	...	...	...	...	...	...	...	...	...
Information Management, Automation.....	...	...	...	...	...	...	...	...	...	...	...	...
Intelligence Communications.....	...	...	...	...	...	...	...	...	...	...	...	...
Technical Field Support and Services.....	...	...	...	...	...	...	...	...	129	65 3,327	129	65 3,327
Criminal Justice Services.....	...	...	...	...	...	...	...	...	88	34 19,845	88	34 19,845
Management and Administration.....	...	...	...	...	...	...	...	...	...	...	...	...
Total	137	69 14,288	8	4 5,832	231	170 18,278	88	44 11,117	285	187 40,310	749	474 89,824

Department of Justice
Federal Bureau of Investigation
Health Care Fraud Enforcement
Estimate for Fiscal Year 1997
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**Federal Bureau of Investigation
Health Care Fraud Enforcement
Summary Statement
Fiscal Year 1997**

The President's 1997 budget request includes a legislative proposal that would establish a Health Care Fraud Enforcement account that would support resources dedicated to the investigation and prosecution of health care fraud cases. Under this proposal, existing FBI resources directed toward health care fraud investigations would shift from a discretionary to mandatory funding basis.

White-Collar Crime/Health Care Fraud Enforcement

National health care spending -- both by the Government and individuals -- continues to climb at a staggering rate and represents an increasingly larger share of the Nation's economy. The U.S. Chamber of Commerce estimates that annual health care spending will double from \$800 billion in 1992 to \$1.6 trillion by the turn of the century. Unfortunately, Government health care programs and the health care industry are also an increasingly growing and lucrative target for fraud. Industry experts estimate that fraud accounts for approximately 10 percent of total health care spending -- or nearly \$80 billion annually. Between 1992 and 1995, FBI health care fraud investigations increased from 379 to 1,878 -- or 356 percent. By 1997, the FBI estimates health care fraud investigations will almost double to 3,000 cases. During 1995, the FBI directed 418 positions (247 agents) and expended approximately \$17,600,000 toward health care fraud investigations. This effort yielded 221 arrests, 425 indictments, 323 convictions, \$57,500,000 in fines assessed, and \$113,400,000 in court-ordered restitutions. The FBI employs a full range of investigative strategies to combat health care fraud, including the use of joint task forces and working groups with other Federal, State, and local investigative and regulatory agencies, court-approved electronic surveillance, and undercover operations.

For the FBI, the Administration's legislative proposal would support 511 positions (302 agents) and \$47,000,000 in 1996, of which 418 positions (247 agents) and \$38,000,000 would offset existing FBI resources used for health care fraud investigations and 94 positions (55 agents) and \$9,000,000 would enhance these efforts. In 1997, the level of resources supported would total 572 positions (339 agents) and \$56,000,000 for health care fraud investigations. The additional 61 positions (37 agents) in 1997 would allow the FBI to provide additional agents and support staff to health care fraud task forces and working groups. While 41 of 56 FBI field offices currently have operational task forces, many of these task forces and working groups have unaddressed cases. The proposed funding level would allow the FBI to provide additional agents and support staff to these existing task forces, as well as initiate task forces and working groups in those 15 FBI field offices that do not currently have such groups.

Federal Bureau of Investigation
Health Care Fraud Enforcement
(Proposed Legislation - Mandatory Account)
Crosswalk of 1996 Changes
(Dollars in thousands)

Activity/Program	1996 Congressional Action			Transfers Between Accounts			Program Increases			Program Increases		
	Pos.	WY	Amt.	Pos.	WY	Amt.	Pos.	WY	Amt.	Pos.	WY	Amt.
1. Criminal Security, and Other Investigations												
a. Organized Criminal Enterprises
b. White Collar Crime	418	418	38,000	..	..	9,000	511	465	47,000
c. Violent Crimes
d. National Security
Subtotal	418	418	38,000	91	47	9,000	511	465	47,000
2. Law Enforcement Support												
a. Training, Recruitment, and Applicant
b. Forensic Services
c. Information Management, Automation and Telecommunications
d. Technical Field Support & Services
e. Criminal Justice Services
Subtotal
3. Program Direction												
a. Management and Administration
Total	418	418	38,000	91	47	9,000	511	465	47,000

Congressional Actions
Upon passage of the Administration's proposal for funding of health care fraud activities, the FBI's regular Salaries and Expenses discretionary account would be reduced by 418 positions (237 Agents and 816001190). Resources totaling 511 positions, 456 work years, and \$47,000,000 would be added to a newly established Health Care Fraud Incentive account. An additional \$1,381,000 in mandatory funding would provide the FBI with 93 positions (55 Agents) and 47 work years.

**Federal Bureau of Investigation
Health Care Fraud Enforcement
Summary of Requirements
(Dollars in thousands)**

Adjustments to Base:

	Perm. Est.	Work- Years	Amount
1996 Conference Allowance	418	418	\$50,000
Transfer from Salaries and Expenses	---	---	---
Program Increase	811	811	97,000
1997 Appropriation Anticipated	---	---	---
1997 Estimate	811	811	97,000
Program Changes (See Program Narrative for Details)	---	---	---
1997 Estimate	811	811	97,000

1998 Appropriation / 1

	Perm. Est.	WY	Amount	Perm. Est.	WY	Amount	Perm. Est.	WY	Amount	Perm. Est.	WY	Amount
Estimates by Budget Activity												
1. Criminal, Security, and Other Investigations	811	406	\$47,000	811	811	\$49,000	811	811	\$49,000	811	811	\$49,000
2. Law Enforcement Support	---	---	---	---	---	---	---	---	---	---	---	---
3. Program Operation	---	---	---	---	---	---	---	---	---	---	---	---
Total	811	406	47,000	811	811	49,000	811	811	49,000	811	811	49,000

/ 1 Includes 418 positions, 418 workyears, and \$39,000,000 transferred from the 1998 regular Salaries and Expenses discretionary account.

Federal Bureau of Investigation Health Care Trusts: Enforcement Summary of Financials by Program (Dollars in thousands)															
	1995 as Enacted			1995 Actuals			1996 Appropriation			1997 Base			Increase/Decrease		
	Pos	WY	Amount	Pos	WY	Amount	Pos	WY	Amount	Pos	WY	Amount	Pos	WY	Amount
Programs by Program															
Criminal Security and															
Other Investigation															
Organized Criminal Enterprises															
White Collar Crime															
Other Viol Programs															
Subtotal															
Law Enforcement Support															
Training, Recruitment and Applicant															
Process Services															
Information Management, Automation,															
and Telecommunications															
Technical Field Support & Services															
Criminal Justice Services															
Subtotal															
Program Director															
Management and Administration															
Total															
Direct Total															
Other Workyears															
Indirect															
AVP															
Other															
Total Compensable Direct Workyears															
Reimbursable Total															
Other Workyears															
Indirect															
AVP															
Other															
Total Compensable Reimbursable Workyears															
Direct and Reimbursable Workyears															
Total Compensable Workyears															

**Federal Bureau of Investigation
Health Care Enforcement
Program Performance Information
Government Performance and Results Act Requirements**

MISSION: The mission of the FBI is to uphold the law through the investigation of violations of federal criminal law; to protect the United States from foreign intelligence activities; to provide leadership and law enforcement assistance to federal, state, local, and international agencies; and to perform these responsibilities in a manner that is responsive to the needs of the public and is faithful to the Constitution of the United States

ORGANIZATIONAL GOALS

1. Investigate violations of the laws of the United States within FBI jurisdiction, collect evidence in domestic and international cases in which the United States is or may be a party of interest.
2. Collect, analyze, and exploit information to identify and neutralize the activities of foreign powers and their agents, and domestic entities, that adversely affect the United States' national security through counterintelligence, counterterrorism, and security countermeasures investigations.
3. Provide forensic, identification, information and training services external to the FBI.
4. Provide effectively and efficiently those supporting services necessary to the accomplishment of the FBI mission.
5. Provide effective national and organizational leadership, as well as, effective direction, control and administration of resources.

**Federal Bureau of Investigation
Health Care Fraud Enforcement
Justification of Program and Performance**
(Dollars in thousands)

White-Collar Crime	Perm Pos.	FTE	Amount
1996 Appropriation Anticipated /1			\$47,000
1997 Base /1	511	465	49,000
1997 Estimate /1	511	511	56,000
Increase/Decrease	572 61	541 30	7,000

/1 Includes 418 positions, 418 FTE and \$38,000,000 transferred from the 1996 Salaries and Expenses account.

LONG-RANGE GOAL:

To reduce losses in both Government programs and private insurance industry of fraudulent health care schemes and practices.

MAJOR OBJECTIVE:

To identify, investigate, and obtain prosecution of individuals involved in health care provider fraud.

BASE PROGRAM DESCRIPTION: Health Care Fraud (HCF) is defined as knowingly executing, or attempting to execute a scheme or artifice to defraud a health benefit or insurance program or the willful execution of a scheme to defraud a health care recipient. The President's 1997 budget includes a legislative proposal that would establish a Health Care Fraud Enforcement mandatory account for the FBI and other Department of Justice (DOJ) entities that would provide resources to identify, investigate, and obtain prosecution of individuals involved in health care provider fraud. The proposed legislation would codify HCF and provide administrative subpoena authority in health care fraud cases. The FBI HCF base resources include 302 agent and 209 support personnel and approximately \$49 million in personnel and nonpersonnel funding.

National health care costs continue to climb at a staggering rate. The U.S. Chamber of Commerce projects annual health care spending will grow from approximately \$800 billion in 1992 to \$1.6 trillion by the turn of the century. At that rate, by the year 2000, health care would consume up to 16.4 percent of the Gross National Product. Currently, the American public spends \$100 million every hour for health care. It is estimated fraud accounts for a loss of \$80 billion annually or 10 percent of total health care spending.

Proactive investigations continue to result in an increase in the health care fraud intelligence base. As the intelligence base grows, there would continue to be a natural progression of significant fraud investigations, that require further resource commitments.

During 1995, field offices reported 1,878 pending HCF investigations, compared to 379 in 1992, a 396 percent increase. The caseload continues to grow substantially each year. By 1997, it is projected to double to almost 3,000 pending cases, many of which are extremely sensitive involving complex financial and medical issues. During 1995, the FBI directed 418 positions (247 agents) and expended \$37,600,000 toward health care fraud investigations. This effort yielded 221 arrests, 425 indictments, 323 convictions, and \$57.5 million in fines and \$113.4 million in restitution assessed.

The FBI's Miami field office is but one of many field offices reporting a backlog of unaddressed health care fraud cases. Miami field office currently reports more than 270 cases of unaddressed HCF matters. Due to this backlog, Miami was recently authorized to establish a second HCF squad to address this massive crime problem. Other field offices are requesting additional HCF squads due to significant backlogs in HCF unaddressed investigations.

The FBI first directed its HCF efforts in 1993 to pharmaceutical fraud and diversion. Seventeen FBI field offices participated in this initiative, code-named Operation Goldpill. In 1994, the FBI focused on psychiatric hospital fraud and 16 field offices developed investigations involving National Medical Enterprises, a corporation which owned psychiatric hospitals located across the country. In 1995, 41 field offices participated in a national initiative targeting staged auto accidents. Due to the pervasiveness of the crime problems, these initiatives are ongoing. Despite these efforts, the FBI lacks sufficient resources to address other identified HCF problems such as ambulance fraud, workers' compensation fraud, and nursing home fraud.

The FBI employs the use of HCF task forces or working groups to maximize efforts in addressing this critical crime problem. Blending the resources, expertise, and talents of these agencies allows for the most productive results in investigating and prosecuting HCF. These task forces are locally based within federal judicial districts and include member representatives of Federal, State, and local investigative and regulatory agencies.

The FBI and Department of Health and Human Services/Office of Inspector General HHIS/OIG have established a close working relationship regarding health care fraud matters. Both the FBI and the HHIS/OIG recognize improving the flow of information and strengthening of the relationship between the agencies would increase the effectiveness of investigative efforts. To facilitate this, since May 1, 1995, personnel exchanged with a detail of an Inspector from HHIS/OIG to FBI Headquarters and an FBI Agent to HHIS/OIG, Washington, D.C. This action was taken to foster a better working relationship with the regional Inspector generals and sub-offices. These supervisors will establish protocols and procedures within both agencies to include indices checks, exchange of data base information, referral of cases, training, and resolution of issues and problems.

Performance indicator data are included in the FBI's Salaries and Expenses appropriations section.

PROGRAM CHANGES:		Perm. Pos.	LTE	Amount
INITIATIVE: Health Care Fraud		61	30	\$ 7,000

The proposed ICF legislation includes 37 agent and 24 support positions and \$7 million above the FBI's 1997 base to continue ICF investigations. Currently, FBI field offices are requesting additional ICF squads because they are faced with significant backlogs in ICF investigations. In addition to the formation of new ICF squads, additional resources to ICF task forces or working groups to maximize efforts in addressing ICF. Forty-one of the 50 FBI field offices have operational ICF task forces; however, most offices are understaffed. Additional resources would fully staff the existing task forces and initiate task forces in the remaining 15 field offices to begin addressing previously unaddressed cases.

Federal Bureau of Investigation
Health Care Fund Enforcement
Financial Analysis - Program Charges
(Dollars in thousands)

Item	White Collar Crime Increases		Total	
	Pos	Amount	Pos	Amount
Grants				
GS-15				
GS-14	36	\$2,052	36	\$2,052
GS-13				
GS-12				
GS-11				
GS-9	9	268	9	\$268
GS-7	14	364	14	\$364
GS-5				
Total positions and annual rate	81	2,704	81	2,704
Capex (?)	(5)	(1,191)	(5)	(1,191)
Other personnel compensation	3	252	3	252
Total workers and personnel				
Compensation	34	1,777	34	1,777
Personal benefits		1,512		1,512
Travel and transportation of persons		135		135
Transportation of things		328		328
GSA rent		154		154
Rental of space		6		6
Comm, utilities, and misc charges		201		201
Printing and reproduction		43		43
Advisory and assistance services		1,167		1,167
Other services				
Research and development contracts				
Operation/maintenance of equipment				
Supplies and materials		69		69
Equipment		1,009		1,009
Land and structures				
Total program workers and obligations				
Charged 10/22/82, 187	34	7,000	34	7,000

Federal Bureau of Investigation
 Health Care Fraud Enforcement
 1997 Priority Ranking

BASE PROGRAM		PROGRAM INCREASES	
Program	Ranking	Program	Ranking
White Collar Crime	1	White Collar Crime	1

Federal Bureau of Investigation
Health Care Fraud Enforcement
Detail of Permanent Positions by Category
Fiscal Years 1985 - 1987

Category	1986		Program Increases Authorized	1987	
	Appropriation Auth.	Anticip. Reimb.		Auth.	Total Reimb.
Criminal Investigative Series (1811)	302	...	37	339	...
Fingerprint Identification (072)	121	...	9	130	...
General Administrative and Clerical (300-399)	88	...	15	103	...
Professional/Technical	511	...	61	572	...
Total	511	...	61	572	...
Washington	511	...	61	572	...
U.S. Field	...	...	...	...	...
Foreign Field	...	...	...	...	...
Total	511	...	61	572	...

Federal Bureau of Investigation
Health Care Fraud Enforcement
Summary of Special Agents and Support Positions/Workyears
FY 1996 - 1997

Appropriated Positions/Workyears

Decision Unit	1996 Appropriation			1997 Increase (Decrease)			1997 Request Level				
	Agent Pos.	Support FTE	Total Pos.	Agent Pos.	Support FTE	Total Pos.	Agent Pos.	Support FTE	Total Pos.		
Organized Criminal Enterprises	302	275	208	180	511	465	339	320	233	572	541
White Collar Crime											
Other Field Programs											
Training, Recruitment and Applicant											
Forensic Services											
Information Management, Automation, and Telecommunications											
Technical Field Support and Services											
Criminal Justice Services											
Management and Administration											
Total	302	275	208	180	511	465	339	320	233	572	541

Federal Bureau of Investigation
Health Care Fraud Enforcement
Justification of Adjustments to Base
(Dollars in thousands)

	WY	Amount
Increases:		
1. 1997 pay raise and locality pay adjustment.....	...	\$685
This request provides for the proposed 3.0 percent pay raise to be effective in January 1997 and is consistent with Administration policy included in the 1997 President's budget request. The amount requested, \$32,729,000, represents the pay amounts for three-quarters of the fiscal year plus appropriate benefits.		
2. 1996 locality pay adjustments.....	...	9
This adjustment represents the locality pay increase received in January 1996, plus appropriate personnel benefits.		
3. Annualization and increase on 1996 pay raise.....	...	320
This pay annualization represents first quarter amounts of the 1996 pay increase of 2.4 percent effective January 1996, plus appropriate personnel benefits and the additional amount required above the 2.2 percent originally requested for three-quarters of the year (\$186,000 for pay and \$134,000 for benefits).		
4. Annualization of 1996 positions approved in 1996 from the Health Care Fraud Salaries and Expenses. The 1996 appropriation provided 50 percent of the total costs for the 93 positions and 47 WY. The annualization requested provides funds for the remaining costs.	46	4,547

	MY	Amount
<p>Approved 1996 Increases</p> <p>Personnel Compensation.....</p> <p>Personnel Benefits.....</p> <p>Travel.....</p> <p>Trans. of things.....</p> <p>Rent.....</p> <p>Communications/Utilities.....</p> <p>Other Services.....</p> <p>Supplies/Materials.....</p> <p>Equipment.....</p> <p>Total costs subject to annualization.....</p>	<p>2,595</p> <p>2,110</p> <p>118</p> <p>318</p> <p>2,345</p> <p>61</p> <p>1,229</p> <p>69</p> <p>118</p> <p>9,000</p>	<p>Required Annualization</p> <p>\$ 2,379</p> <p>942</p> <p>74</p> <p>297</p> <p>291</p> <p>402</p> <p>122</p> <p>4,547</p>
<p>5. General pricing level adjustments.....</p> <p>This request applies OMB pricing guidance from the 1997 President's budget request, to selected expense categories. The increased costs identified result from applying a factor of 2.9 percent against those subject classes where the prices that the Government pays are established through the market system instead of by law or regulation. Generally, the factor is applied to supplies, materials, equipment, contracts with the private sector, printing costs, transportation costs and utilities.</p>	---	5636
Total Increases.....	...	6,217
Decreases:		
1. Nonrecurrence of Health Care Fraud proposal one-time personnel module costs.....	...	(4,217)
Total Decreases.....	...	(4,217)
Total, Adjustments to Base.....	46	2,000

**Federal Bureau of Investigation
Health Care Fraud Enforcement
Summary of Requirements by Grade and Object Class**
(Units in thousands)

	1995 Actual		1996 Anticipated		1997 Request		Increase/Decrease	
	Positions & Workyears	Amount	Positions & Workyears	Amount	Positions & Workyears	Amount	Positions & Workyears	Amount
Grades and Salary Ranges								
Executive Level II, \$113,600								
ES-6, \$118,245								
ES-5, \$114,260								
ES-4, \$109,661								
ES-3, \$105,040								
ES-2, \$99,343								
ES-1, \$94,944								
GS/GM-15, \$73,486-93,511								
GS/GM-14, \$62,473-81,217								
GS/GM-13, \$52,867-68,779								
GS-12, \$44,418-57,800	337		375				38	
GS-11, \$37,094-48,222								
GS-10, \$33,762-43,888	77		77					
GS-9, \$30,638-39,858								
GS-8, \$27,756-36,088	97		106				9	
GS-7, \$25,061-32,582								
GS-6, \$22,154-29,320			14				14	
GS-5, \$20,233-26,303								
GS-4, \$18,085-23,515								
GS-3, \$16,111-20,940								
Ungraded positions								
Locality Pay								
1997 pay increase		\$36		\$76				\$40
Total, appropriated positions		386		517				131
Pay above stated annual rates	511	25,116	572	26,304	61		61	1,288
Lapses		97		103				6
Savings due to lower pay scales for part of year	(46)	(1,964)	(31)	(1,317)	15		15	631
Net full-time permanent		(47)		(37)				(10)
Other than full-time permanent		21,148	541	25,317	76		76	2,195
Part-time Permanent								
Other personnel compensation								
Overtime								
Availability pay	4	156	4	156				
Other compensation	61	3,699	71	4,058	10		10	397
Total, workyears and personnel compensation	533	27,782	619	30,421	86		86	2,595
Average ES Salary								
Average GS/GM Salary								
Average GS/GM Grade								

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Object Class	Federal Bureau of Investigation Health and Safety Division Summary of Requirements by Grade and Object Class (Dollars in thousands)				Increase/Decrease			
	1995 Actual	1996 Estimates	1997 Request		Amount	Workyears	Amount	
	WYS	Amount	WYS	Amount	WYS	Amount	WYS	Amount
11.1 Full-time permanent.....
11.3 Other than full-time permanent.....
11.5 Other personnel compensation.....
Total.....
Reimbursable Workyears								
Full-time permanent.....
Other than permanent.....
12 Personnel benefits.....
13 Benefits to former personnel.....
21 Travel and transportation of persons.....
22 Transportation of things.....
23.1 GSA Rent.....
23.2 Rental payments to others.....
23.3 Communications, utilities, miscellaneous charges.....
24 Printing and reproduction.....
25.2 Other services.....
25.7 Operation and maintenance of equipment.....
26 Supplies and materials.....
31 Equipment.....
42 Insurance claims and indemnities.....
Total obligations.....
Unobligated Balance, start of year.....
Unobligated Balance, end of year.....
Total requirements.....
Relation of Obligations to Outlays:								
Total Obligations.....
Obligated Balance, start of year.....
Obligated Balance, end of year.....
Outlays.....

Department of Justice
Federal Bureau of Investigation
Continued on
Estimate for Fiscal Year 1997
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Federal Bureau of Investigation
Construction
Summary Statement
Fiscal Year 1997

For 1997, the FBI proposes a Construction appropriation totaling \$55,676,000 to continue two on-going projects (FBI Laboratory relocation and FBI Academy necessary maintenance and upgrades) and to initiate one new project (renovation of FBI Headquarters building).

Forensic Services/FBI Laboratory facility

The FBI has undertaken an initiative to relocate the FBI Laboratory from its present space in the FBI Headquarters Building in Washington, D.C., to a new, stand alone facility. Relocation is necessary due to safety, health, and environmental concerns of operating the current laboratory in a densely populated office building and the need to provide additional space to accommodate the integration of new forensic examination techniques and technologies. Presently, the FBI is evaluating the feasibility of constructing the new FBI Laboratory facility on space available at the FBI Academy in Quantico, Virginia. The FBI acquired the services of an architectural and engineering firm, Einhorn, Yaffee, and Prescott, to conduct a preliminary plan of this option. The estimated cost for the new facility is \$150,200,000. Funding totaling \$57,089,000 was provided in 1996 for architectural and engineering services, site preparation, and initial construction. For 1997, \$43,889,000 is proposed to recur to continue construction of the new facility.

Training, Recruiting, and Applicant/FBI Academy necessary maintenance and upgrades

In 1996, the FBI began an initiative to perform necessary maintenance and upgrades to the facilities of the FBI Academy located in Quantico, Virginia. The FBI Academy, which began operations at Quantico in 1972, is used to train FBI and Drug Enforcement Administration (DEA) agents, State and local law enforcement officers, and other criminal justice personnel. The existing FBI Academy campus includes: classroom, office, and dormitory buildings; indoor and outdoor firearms ranges; a practical problems training center; a tactical and emergency vehicle operations course; library; dining hall, and warehouse, service, and support facilities. Among the maintenance and upgrade projects needed are: replacement and retrofit of air conditioning chillers, exterior masonry waterproofing, asphalt repairs, security fencing and surveillance, and compliance with the Americans with Disabilities Act. Aggressive hiring and new agent training efforts by the FBI and DEA are placing a significant stress on facilities. Consequently, funding is necessary to maintain and upgrade existing training facilities and capabilities at the FBI Academy. Funding totaling \$9,150,000 was provided in 1996 to begin necessary maintenance and upgrade projects. For 1997, \$1,287,000 is needed to continue maintenance and upgrades that were started in 1996. This funding will ensure the FBI Academy provides a safe and modern educational environment.

Management and Administration/FBI Headquarters building renovations

The relocations of the Criminal Justice Information Services Division to Clarksburg, West Virginia, and the Laboratory Division to a new facility necessitates the renovation of approximately 405,880 square feet of space in the FBI Headquarters Building that is being vacated by these components. A 1992 assessment by an architectural and engineering firm estimated cost of this renovation effort to be \$26,400,000. The FBI has developed a multi-year plan to accomplish the renovation of vacated space that provides for more efficient operations by reprogramming existing space to consolidate Headquarters divisions and offices into contiguous space. Additionally, the FBI would consolidate components currently located in leased commercial space back into the FBI Headquarters building. The first phase of this plan would focus upon the renovation of approximately 157,050 square feet of space which the Criminal Justice Information Services Division has begun to vacate. For 1997, the FBI requires \$10,500,000 to award a contract for the actual renovation of this space. This proposal is consistent with the Vulnerability Assessment of Federal Facilities Study, conducted by the Department of Justice in the aftermath of the bombing of the Murrah Federal Office Building in Oklahoma City, which recommends that Federal law enforcement agencies not be located in rental space with non-Federal tenants whenever possible.

Federal Bureau of Investigation
Construction
Justification of Proposed Changes in Appropriation Language

The 1997 budget estimates include proposed changes in the appropriation language listed and explained below. New language is underscored.

Construction

For expenses necessary for planning, acquiring, equipping, constructing, maintaining, and improving sites, buildings, and facilities, \$55,676,000, to remain available until expended.

Note: A regular 1996 appropriation for this account had not been enacted at the time this budget was prepared. The 1996 amounts included in this budget are based on the levels provided in three continuing resolutions: P.L. 104-91, P.L. 104-92, and P.L. 104-99.

**Federal Bureau of Investigation
Construction
Committee of 1994 Changes
(Dollars in thousands)**

Activity/Program	1994 President's Budget Request			Committed Action on 1994 Request			Add in NY			Transfers Between Accounts			Reprogramming			1994 Appropriation Anticipated		
	Pos.	NY	Am.	Pos.	NY	Am.	Pos.	NY	Am.	Pos.	NY	Am.	Pos.	NY	Am.	Pos.	NY	Am.
1. Criminal Security, and Other Investigations																		
a. Organized Criminal Enterprises.....																		
b. Witness Protection.....																		
c. Violent Crime.....																		
d. National Security.....																		
Total.....	22	11	31,719	(23)	(11)	(21,797)												10,000
2. Law Enforcement Support																		
a. Training, Recruitment, and Application.....																		
b. Forensic Services.....																		
c. Information Management, Automation and Telecommunications.....																		
d. Technical Field Support & Services.....																		
e. Criminal Justice Services.....																		
Total.....																		87,589
3. Program Division																		
a. Management and Administration.....																		
Total.....	22	11	99,319	(23)	(11)	(1,079)												97,189

Congressional Actions:

Under the Violent Crimes program, the President requested a total of \$37,759,000 and 22 positions and 11 workyears. This request includes 22 positions and 11 workyears for the Emergency Response Team; \$26,359,000 for the Critical Incident Response Facility (CIRF); and \$11,400,000 for the FBIHQ Command Center. Congress denied the request for the 22 positions and 11 workyears under Construction funding, but it was approved in Salaries and Expenses. Congress also denied the President's request of \$26,359,000 for the CIRG facility. Congress did approve a total of \$10,000,000 for the FBIHQ Command Center.

Under the Forensic Services program, Congress added an additional \$22,889,000 to the President's request of \$34,200,000 for construction of the new FBI Laboratory facility.

Under the Technical Field Support and Services program, Congress denied the President's request of \$27,300,000 for the Domestic Counterterrorism Center.

**Federal Bureau of Investigation
Contributions
Summary of Expenditures
(Dollars in thousands)**

Adjustments to Base:	1968 Appropriation			1967 Base			1967 Estimate			Increase/Decrease		
	Perm.	MX	Amount	Perm.	MX	Amount	Perm.	MX	Amount	Perm.	MX	Amount
1968 Contributions/Amounts:												
Program Income:												
1967 Appropriation Anticipated:												
Decreases (Indemnity, non-policy)												
Increases (Indemnity, non-policy)												
1967 Base:												
Program Changes (See Program Narrative for Details)												
1967 Estimate:												
Estimates by funded activity:												
1. Criminal, Security, and Other Investigations:			\$10,000									
2. Law Enforcement Support:			\$7,300			\$48,176			\$48,176			
3. Program Division:												
Total:												

Federal Bureau of Investigation
Department of Justice
Bureau of Criminal Identification
(Continued in Worksheet)

	1975 to Budget			1975 Actuals			1975 Appropriation			1975 Budget			1975 Example			1975 Actuals		
	Pos	MX	Ass	Pos	MX	Ass	Pos	MX	Ass	Pos	MX	Ass	Pos	MX	Ass	Pos	MX	Ass
Identical to Program																		
Other Security and																		
Other Investigation																		
Organized Criminal Enterprises																		
White Collar Crime																		
Other Field Programs																		
Subtotal																		
Law Enforcement Support																		
Training, Recruitment, and Application																		
Personnel Services																		
Information Management, Administration,																		
and Telecommunications																		
Technical Field Support & Services																		
Criminal Justice Services																		
Subtotal																		
Program Division																		
Management and Administration																		
TOTAL																		
Direct Field																		
Other Workgroup																		
Subtotal																		
Operating																		
AVP																		
Other																		
TOTAL COMPENSABLE, Direct Workgroup																		
Administrative Total																		
Other Workgroup																		
Subtotal																		
Operating																		
AVP																		
Other																		
TOTAL COMPENSABLE, Administrative Workgroup																		
Direct and Administrative Workgroup																		
TOTAL COMPENSABLE Workgroup																		

**Federal Bureau of Investigation
Construction
Program Performance Information
Government Performance and Results Act Requirements**

MISSION: The mission of the FBI is to uphold the law through the investigation of violations of federal criminal law; to protect the United States from foreign intelligence activities; to provide leadership and law enforcement assistance to federal, state, local, and international agencies; and to perform these responsibilities in a manner that is responsive to the needs of the public and is faithful to the Constitution of the United States.

ORGANIZATIONAL GOALS

1. Investigate violations of the laws of the United States within FBI jurisdiction, collect evidence in domestic and international cases in which the United States is or may be a party of interest.
2. Collect, analyze, and exploit information to identify and neutralize the activities of foreign powers and their agents, and domestic entities, that adversely affect the United States' national security through counterintelligence, counterterrorism, and security countermeasures investigations.
3. Provide forensic, identification, information and training services external to the FBI.
4. Provide effectively and efficiently those supporting services necessary to the accomplishment of the FBI mission.
5. Provide effective national and organizational leadership, as well as, effective direction, control and administration of resources.

**Federal Bureau of Investigation
Construction
Justification of Program and Performance
(Dollars in thousands)**

Training, Recruitment, and Applicant	Perm		FTE	Amount
	Pos.			
1996 Appropriation Anticipated	\$30,500
1997 Base	1,287
1997 Estimate	1,287
Increase/Decrease

LONG-RANGE GOAL: To effectively recruit, process, investigate and appoint the most qualified individual available to meet FBI staffing needs; to provide initial and advanced professional training and investigative support for FBI Agent and support personnel; and to provide training and retaining sessions to Federal, State, local and international law enforcement officers through the FBI National Academy (NA) and International programs, enabling them to carry out their increasingly complex responsibilities in an efficient, professional, and effective manner.

MAJOR OBJECTIVES:

Graduate trainees who have the necessary skills and knowledge in the areas of informant/intelligence gathering, communications, interviewing and investigative techniques, legal, firearms, and defensive tactics to function as GS-10 investigators upon assignment to an FBI field office.

Enhance the curriculum and train the approved number of State and local police officers in the National Academy program.

Conduct necessary FBI In-Service Training at the FBI Academy and on a regional basis consistent with available funding. The Training Division would also expend its efforts to use a variety of innovative approaches (such as distance learning and performance support) to ensure employees continue to have access to the knowledge and skills necessary to perform their jobs.

Host in coordination with the Laboratory Division at least one technical symposium annually on a topic of broad interest to the forensic community such as DNA and fingerprint technologies, trace evidence, or an international symposium on crime laboratory development.

Maintain the land, buildings, equipment, furnishings, and fixtures of the FBI Academy complex in a manner consistent with and conducive to an effective, efficient, safe, and healthy learning and living environment.

BASE PROGRAM DESCRIPTION: The Training, Recruitment, and Applicant Program includes the recruiting, selecting, hiring, and training of new FBI agent and support employees, as well as the continuing education and development of all FBI employees.

The FBI is committed to providing high quality training to its personnel and the law enforcement community at large. Much of the training performed by the FBI takes place at the FBI Academy located in Quantico, Virginia. The FBI Academy opened in 1972 and has been in continuous use since that time. At this facility, training is provided for FBI New Agent Training, the FBI, State and local law enforcement officers, Drug Enforcement Administration (DEA) Basic Agent Training, and, as capacity permits, in-services/comprehensive FBI management training, and specialized schools, conferences, and symposia.

As the FBI Academy enters its 25th year, preventive maintenance and necessary improvements become critical. The condition of the facilities in Quantico are essential to the FBI's ability to provide high quality training. Base funding allows the FBI to maintain these facilities in good working order. In 1996, the FBI received \$9.15 million for the most critical necessary maintenance and improvements needed at the Academy. The accrual of \$1.287 million creates a base from which continued maintenance can occur.

In 1996, Congress also appropriated \$4.5 million to complete the tactical firearms training center and \$16.85 million for the first phase of the firearms range modernization project. The existing firearms ranges need modernization due to the stress from the heavy training demands of both the FBI and Drug Enforcement Administration as we train new agents to bring both agencies up to authorized agent levels. Further, the existing ranges have been in use since the 1940s and now present significant health and environmental concerns due to lead accumulation. Currently, the existing range facilities at the FBI Academy cannot provide a full 25 percent of needed firearms training; poor weather conditions increase this percentage.

The firearms range modernization would be completed in two phases. The first phase, beginning in 1996, would permit relocation and improvement of the outdoor ranges. The second phase would be the construction of a new firearms training center. Upon completion of both phases of construction, the FBI would be able to meet all Federal, State and local firearms training needs.

Performance indicator data are included in the FBI's Salaries and Expenses appropriations section.

**Federal Bureau of Investigation
Construction
Justification of Program and Performance
(Dollars in thousands)**

Forensic Services	Perm.		FTE	Amount
	Pos.			
1996 Appropriation Anticipated	\$57,089
1997 Base	43,889
1997 Estimate	43,889
Increase/Decrease

LONG-RANGE GOAL: To construct a new state-of-the-art forensic laboratory facility that will increase efficiency of FBI Laboratory services provided to users, provide a safe working environment for FBI employees, and support the development and integration of new forensic technologies and techniques.

MAJOR OBJECTIVES:

To construct a new state-of-the-art laboratory facility at the FBI Academy, Quantico, Virginia.

To enhance the level of service to the law enforcement community by increasing the examination quantity and variety that can be achieved in a dedicated, state-of-the-art laboratory facility.

To increase the level of safety to FBI employees both within the Laboratory and throughout FBI Headquarters by constructing a new laboratory facility that meets present GSA safety requirements.

To collocate the operations and staff of the Forensic Services Research Training Center (FSRTC) and the FBI Laboratory to improve the development and integration of advanced forensic services.

BASE PROGRAM DESCRIPTION:

Due to safety and operational concerns, the FBI is relocating its laboratory facility from its present space in the J. Edgar Hoover (JEH) Building. Previously, the FBI had preferred to relocate to a site on the Engineering Proving Grounds (EPG) at Fort Belvoir, Virginia, however, due to delays in transferring EPG land from the Department of Defense, the alternative location at the FBI Academy in Quantico, Virginia, is currently under evaluation. Initial funding to construct a new state-of-the-art FBI Laboratory facility was proposed in the President's 1995 Supplemental and 1996 Counterterrorism amendment. In 1996, the FBI received \$57,089,000 for this project, which includes \$13,200,000 for an architectural and engineering services; \$22,000,000 for site preparation; and \$21,889,000 to begin construction requirements. Of this amount, \$43,889,000 is returned in 1997 to continue construction activities. The estimated cost for construction of the new laboratory facility remains at \$150,200,000.

Advances in technology, increases in the quantity and types of forensic services provided, and a heightened awareness of health and safety hazards associated with evidence examinations have rendered the FBI Laboratory's present location unsuitable. Special facility requirements must be met to insure a safe and healthy work place. The high volume of physical evidence received for examination is often very bulky, requiring unique storage conditions; potentially, it can provide accelerated fuel loads with the possibility of explosion in the event of fire. In addition, there is an increased exposure to the potentially infectious diseases frequently associated with the biological specimens received, such as hepatitis, tuberculosis, HIV, and venereal diseases.

There is a critical shortage of space in the JEH Building that precludes expansion of the existing FBI Laboratory. The number of examinations performed by the FBI has more than doubled since the present space was occupied. Many new examination techniques have been developed and new program responsibilities have been added. This has contributed to severe overcrowding, heightening the possibility for serious accidents which could affect both Laboratory Division employees as well as other building occupants.

Laboratory instrumentation has special air conditioning and power requirements. The FBI has experienced difficulties through the years in meeting equipment cooling needs. In an effort to address this problem large water-cooled units were installed in several areas. These installations and other improvement measures have provided temporary relief from this problem; however, there is no capacity for future requirements which will undoubtedly develop.

Existing ventilation and exhaust systems are also inadequate. Many evidence items examined are in a putrefied condition requiring processing hoods vented to the outside. In addition, noxious and/or highly volatile chemicals and industrial-type solvents used in processing evidence or in other laboratory operations must be used in properly ventilated hoods or processing areas. Recent safety inspections by the National Institute of Safety and Health and the General Services Administration (GSA) have identified inadequacies in the exhaust and ventilation systems which, again, are difficult or impossible to remedy in existing space. Evidence examination and storage facilities are inadequate and, in many areas, not immediately accessible to examiners. Valuable time is wasted moving evidence through the division's space due to the obsolete layout. Irreplaceable reference files and collections cannot be adequately secured. The design of the existing layout does not provide the flexibility to adjust to these and other changes which have occurred over the years. The current Laboratory layout was originally designed with the interests of the public tour route foremost. The result has proven terribly inefficient through the years and has posed significant problems attendant to security and unauthorized access to controlled space from the tour route.

**Federal Bureau of Investigation
Construction
Justification of Program and Performance
(Dollars in thousands)**

Management and Administration	Perm.		FTE	Amount
	Poa.	FTE		
1996 Appropriation Anticipated
1997 Base
1997 Estimate	\$10,500
Increase/Decrease	10,500

LONG-RANGE GOAL: To renovate and reprogram space within the J. Edgar Hoover FBI Building vacated by the relocation of the Criminal Justice Information Services (CJIS) and Laboratory Divisions.

MAJOR OBJECTIVES:

To enhance FBI Headquarters work space to alleviate crowded conditions and accommodate approved increases in personnel in meeting its investigative mission-related needs.

BASE PROGRAM DESCRIPTION: The FBI's Criminal Justice Information Services (CJIS) division is relocating to Clarksburg, West Virginia. Additionally, the FBI is relocating the Laboratory Division to a dedicated facility planned for construction in the immediate Washington, D.C. area. The FBI contracted with Smith, Hinchman and Grylls (SH&G) Associates, Inc. to determine the overall requirements of the JEH FBI Building upon the relocation of these entities. This study estimated that \$26,400,000 (based on 1996 dollars) is required to renovate approximately 403,880 square feet of space (CJIS Division, 274,840 and Laboratory Division, 131,000). The FBI plans a phased, multi-year effort for renovation and reprogramming of the vacated space.

The FBI does not have sufficient direct base level funds to support this massive renovation effort. Base funds are required to perform annual routine renovations and alterations. While some annual projects cost a few thousand dollars, others can cost millions, such as the New York Office renovation project. The FBI depends upon the availability of full base funding to maintain and improve space occupied in non-GSA and GSA leased facilities.

By relocating offices currently housed in commercially leased space back to the JEH FBI Building, the FBI would save approximately \$4,000,000 in rental costs and enhance Headquarters efficiency. However, these funds would not be available to support the renovation effort. The CJIS Division currently contributes over \$4,000,000 to the FBI's GSA

rent through a portion of user fees collected for processing fingerprint cards. These fees will be used to support the costs of the new Clarksburg facility. The FBI will be required to redirect the \$4,000,000 in commensurate savings to GSA rent to offset the funding previously provided by user fees. Performance indicator data are included in the FBI's Salaries and Expenses appropriations section.

PROGRAM CHANGES:

	Perm. Pos.	FTE	Amount
INITIATIVE: Infrastructure Renovation of JEH Building	\$10,500

Funding totaling \$10,500,000 is required to begin the renovation and realignment of the JEH FBI Building due to the relocation of the CJIS Division to Clarksburg, West Virginia. An SH&G study provided a graphic composite of JEH FBI Building space requirements and an estimated cost of each potential action. This cost estimate of \$26,400,000 was based upon an industry-wide standard of \$65 per square foot for office-to-office renovation costs. Included in the renovation of the JEH FBI Building would be an effort to consolidate each division into contiguous space, to restore various public areas (lounges and cafeteria space) that have been converted to office space, and to bring FBI components currently located in commercial office space back into the JEH Building. This initiative is in accordance with a recommendation made by the Department of Justice's Vulnerability Assessment of Federal Facilities Study that federal law enforcement agencies not be located in rented areas with non-Federal tenants whenever possible.

The FBI plans to proceed with procurement procedures to obtain the services of an architectural and engineering company to perform the first two phases of this effort which include site survey, programming, tentative design, budget estimate, construction documents, and detailed construction estimate. A statement of construction requirements is anticipated to be ready for competition in June 1997. This competition would coincide with the CJIS Division relocation plan which indicates that it will vacate approximately 157,050 square feet by the end of 1997. Using the \$65 per square foot standard for office-to-office renovation costs, the FBI requires \$10,500,000 to initiate the contract award for actual renovation of space. The FBI requires these funds to recur through 1999 to complete the renovation of the remainder of the CJIS space and that which the Laboratory Division will vacate. The additional funds would be required to cover increased costs associated with inflation as the original study was based on 1996 dollars.

**Federal Bureau of Investigation
Construction
Financial Analysis - Budgetary Categories
(Dollars in thousands)**

Item	Management and Administration Expenses		Total	
	Per	Amount	Per	Amount
Personnel				
GS-15.....	1	1	1	1
GS-14.....	1	1	1	1
GS-13.....	1	1	1	1
GS-12.....	1	1	1	1
GS-11.....	1	1	1	1
GS-9.....	1	1	1	1
GS-7.....	1	1	1	1
GS-5.....	1	1	1	1
Total positions and annual rates	7	7	7	7
Other personnel compensation.....	1	1	1	1
Total personnel compensation	8	8	8	8
Travel				
Total workshop and personnel				
Compassion.....	1	1	1	1
Personal benefits.....	1	1	1	1
Travel and transportation of persons.....	1	1	1	1
Transportation of things.....	1	1	1	1
GSAA rent.....	1	1	1	1
Travel payments to others.....	1	1	1	1
Comms, utilities, and other charges.....	1	1	1	1
Printing and reproduction.....	1	1	1	1
Library and assistance services.....	1	1	1	1
Other services.....	1	1	1	1
Research and development contracts	1	1	1	1
Operation/maintenance of equipment.....	1	1	1	1
Supplies and materials.....	1	1	1	1
Equipment.....	1	1	1	1
Land and structures.....	1	1	1	1
Total program workshop and obligations	10	10	10	10
Grand total available, 1987	18	18	18	18

Federal Bureau of Investigation
Construction
1987 Priority Ranking

BASE PROGRAM		PROGRAM INCREASES	
Program Forensic Services	Ranking 1	Program Management and Administration	Ranking 1
Training, Recruitment and Applicant	2		

Federal Bureau of Investigation
Construction
Summary of Change
(Dollars in thousands)

	Perm. Pos.	WY	Amount \$97,536
1986 Appropriation Anticipated.....	
Adjustments to base:			
Decreases:			
Nonecount of FBI Academy Upgrades.....	-7,883
Nonecount of FBI Academy Outdoor Firearms Range.....	-21,350
Nonecount of Command Center.....	-10,000
Nonecount of Laboratory Building.....	-13,200
Total, Decreases.....	-52,413
1987 Base.....	45,176
Program Changes.....	10,500
1987 Estimate.....	55,676

Federal Bureau of Investigation
 Justification of Adjustments to Base
 Construction
 (Dollars in thousands)

	KY	Amount
Decreases:		
1. Nonrecurring costs.....	...	
Recurring costs are for FBI Academy Upgrades (\$7,853,000), FBI Academy Outdoor Firearms Range (\$2,500,000), the Command Center (\$10,000,000), and the Laboratory Building (\$13,200,000).		-852,413
Total, Decreases.....	---	<u>-852,413</u>
Total, Adjustments to Base.....	...	-852,413

Bureau of Investigation
Construction
Summary of Requirements by Grade and Object Class
(Dollars in thousands)

Object Class	1966 Actual		1968 Estimate		1967 Request		Increase/Decrease	
	WYS	Amount	WYS	Amount	WYS	Amount	WYS	Amount
11.1 Full-time permanent.....
11.3 Other than full-time permanent.....
11.8 Other personnel compensation.....
Total.....
Reimbursable Workyears								
Full-time permanent.....
Other than permanent.....
12 Personal benefits.....
13 Benefits to former personnel.....
21 Travel and transportation of persons.....
22 Transportation of freight.....
23.1 GSA Rent.....
23.2 Rental payments to others.....
23.3 Communications, utilities, miscellaneous charges.....
24 Printing and reproduction.....
25.1 Advisory and assistance services.....
25.2 Other services.....
26 Supplies and materials.....
31 Equipment.....
32 Land and structures.....
42 Insurance claims and indemnities.....
91 Unvouchered.....
Total obligations.....
Unobligated Balance, start of year.....
Unobligated Balance, end of year.....
Total requirements.....
Relation of Obligations to Outlays:								
Total obligations.....
Obligated Balance, start of year.....
Obligated Balance, end of year.....
Outlays.....

**Federal Bureau of Investigation
Construction
Status of Construction and Summary of New Facilities Requirements
(Dollars in thousands)**

Project	Funds Status			Total Current Cost Estimate or Actual	Oblig. to Date	Status as of April 1998	Estimated Activation Date
	New Construction						
	Fiscal Year	Amount					
I. Expansion of Existing Facilities							
Renovation of Headquarters	1997	\$10,000 *	\$13,140	\$34,140	\$530	Architectural & Engineering (A/E) studies contract awarded 2/98, A/E will be completed by 6/98	9/02
FBI Academy Firearms Range Upgrades	1996	\$18,850	\$18,850	\$17,050	\$0	Selection of Architectural and Engineering (A/E) Studies firm underway.	8/98
FBI Command Center	1995	\$10,000	\$10,000	\$10,000	\$1,822	Project Management Plan completed. Currently under Phase 1 of development (Functional Requirements Definition).	5/98
II. New Facilities							
Hostage Rescue Team Tactical Firearms Facility	1996	\$4,500	\$5,579 **	\$7,442	\$1,078	Final stages of design; construction contract award anticipated in 6/98.	12/97
FBI Laboratory	1996 1997	\$57,088 43,888	\$100,978	\$150,200	\$250	Preliminary A/E conducted at Quantico, VA site. Advertising for A/E design and construction	2/00

* Initial funding of \$2,640,000 provided in Salaries and Expenses account in 1996

** Initial funding of \$1,078,000 provided in Salaries and Expenses account in 1994.

Federal Bureau of Investigation
Construction Account
Justification of Multi-Activity Program Changes
(Dollars in thousands)

Budget Activity/Program	Construction		Total Initiatives	
	Pos.	WY Amount	Pos.	WY Amount
Organized Criminal Enterprises.....
White-Collar Crime.....
Other Field Programs.....
Training, Recruitment, and Applicant.....
Forensic Services.....
Information Management, Automation and Telecommunications.....
Technical Field Support and Services.....
Criminal Justice Services.....	..	\$10,500	..	\$10,500
Management and Administration.....
Total	..	10,500	..	10,500

Department of Justice
Federal Bureau of Investigation
Telephone Center Compliance
Estimates for Fiscal Year 1972
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**Federal Bureau of Investigation
Telephone Carrier Compliance
Summary Statement
Fiscal Year 1997**

The Communications Assistance for Law Enforcement Act (CALEA) (P.L. 103-414) clarified the duty of the telecommunication carriers to assist law enforcement agencies with the lawful interception of communications and the collection of call-identifying information in a rapidly changing telecommunications environment. To facilitate compliance with the provisions of the CALEA by telecommunications carriers, the Act authorized the appropriation of \$500,000,000 between 1995 and 1998 to pay for reasonable costs directly associated with the modifications performed by carriers in connection with equipment, facilities, and services to establish the necessary capabilities and capacities identified by law enforcement. The Attorney General delegated management and administrative responsibilities of the CALEA to the FBI.

In October, 1995, the FBI published an Initial Notice of Capacity Requirements in the Federal Register. Comments from the public and the telecommunications industry were accepted through January, 1996. The FBI is reviewing these comments before a Final Notice of Capacity Requirements is issued. Upon issuance of the Final Notice of Capacity Requirements, telecommunications carriers are required to submit Statements "identifying any of its systems or services that do not have the capacity to accommodate simultaneously the number of interceptions, pen registers, and trap and trace devices set forth in the notice" From these Statements, the FBI will devise a priority plan for the implementation of CALEA compliant solutions. The FBI is also in the process of publishing Cost Recovery Regulations that establish the parameters for costs eligible for reimbursement by the Government under the CALEA. Issuance of both capacity requirements and cost recovery regulations are required by the Act.

For 1997, a direct appropriation totaling \$100,000,000 is proposed for payments to telephone carriers, equipment manufacturers, and providers of telecommunications support services for costs incurred in complying with the CALEA. No funding for payments to telecommunications carriers for direct costs associated with CALEA compliance was appropriated in either 1995 or 1996.

Federal Bureau of Investigation
Telephone Carrier Compliance
Justification of Proposed Changes in Appropriation Language

The 1997 budget estimates include proposed changes in the appropriation language listed and explained below. New language is underscored.

Telephone Carrier Compliance

For payments to telecommunications carriers, equipment manufacturers, and providers of telecommunications-support services. As authorized by 47 U.S.C. 1009, \$100,000,000.
To remain available until expended.

**Federal Bureau of Investigation
Telephone Call Center Conference
Summary of Requirements
(Values in thousands)**

Adjustments to Base	1987 Estimate			1987 Estimate			1987 Estimate			1987 Estimate		
	Perm.	MX	Amount	Perm.	MX	Amount	Perm.	MX	Amount	Perm.	MX	Amount
1986 Conference Attendance.....	---	---	---	---	---	---	---	---	---	---	---	---
Travelers Involvement.....	---	---	---	---	---	---	---	---	---	---	---	---
Program Increase.....	---	---	---	---	---	---	---	---	---	---	---	---
1986 Appropriation Adjustment.....	---	---	---	---	---	---	---	---	---	---	---	---
Change in Telephone Service.....	---	---	---	---	---	---	---	---	---	---	---	---
Increases (Automatic, non-policy).....	---	---	---	---	---	---	---	---	---	---	---	---
Increases (Automatic, non-policy).....	---	---	---	---	---	---	---	---	---	---	---	---
1987 Base.....	---	---	---	---	---	---	---	---	---	---	---	---
Program Changes (See Program Narrative for Details).....	---	---	---	---	---	---	---	---	---	---	---	---
1987 Estimate.....	---	---	---	---	---	---	---	---	---	---	---	---
1988 Appropriation												
Anticipated												
Estimates for Judicial Credits												
1. Criminal, Security, and Other Investigations.....	---	---	---	---	---	---	---	---	---	---	---	---
2. Law Enforcement Support.....	---	---	---	---	---	---	---	---	---	---	---	---
3. Program Division.....	---	---	---	---	---	---	---	---	---	---	---	---
Total.....	---	---	---	---	---	---	---	---	---	---	---	---

Estimated Data
Transmittal Columns 1 through 4
Summary of Expenditures for Programs
(Columns in thousands)

	1975 as Estimated			1975 Actuals			1976 Appropriation			1977 Base			1977 Estimate			1978 Estimate		
	Per Cen.	NY	Actual	Per Cen.	NY	Actual	Per Cen.	NY	Actual	Per Cen.	NY	Actual	Per Cen.	NY	Actual	Per Cen.	NY	Actual
Research in Progress																		
Other Research, and																		
Other Investigations																		
Operational Criminal Investigations																		
White Collar Crime																		
Other Field Programs																		
Schools																		
Law Enforcement Support																		
Training, Recruitment, and Applicant																		
Personnel Services																		
Information Management, Administration																		
and Telecommunications																		
Technical Field Support & Services																		\$100,000
Criminal Justice Services																		
Schools																		100,000
Program Director																		
Management and Administration																		
TOTAL																		100,000
Direct Total																		
Other Workgroup																		
Fieldwork																		
Overhead																		
AVP																		
Other																		
Total Compendium, Direct Workgroup																		
Researchable Total																		
Other Workgroup																		
Fieldwork																		
Overhead																		
AVP																		
Other																		
Total Compendium, Researchable Workgroup																		
Direct and Researchable Workgroup																		
Total Compendium Workgroup																		

Federal Bureau of Investigation
Telephone Carrier Compliance
Program Performance Information
Government Performance and Results Act Requirements

MISSION: The mission of the FBI is to uphold the law through the investigation of violations of federal criminal law, to protect the United States from foreign intelligence activities, to provide leadership and law enforcement assistance to federal, state, local, and international agencies, and to perform these responsibilities in a manner that is responsive to the needs of the public and is faithful to the Constitution of the United States.

ORGANIZATIONAL GOALS

1. Investigate violations of the laws of the United States within FBI jurisdiction, collect evidence in domestic and international cases in which the United States is or may be a party of interest.
2. Collect, analyze, and exploit information to identify and neutralize the activities of foreign powers and their agents, and domestic entities, that adversely affect the United States' national security through counterintelligence, counterterrorism, and security countermeasures investigations.
3. Provide forensic, identification, information and training services external to the FBI.
4. Provide effectively and efficiently those supporting services necessary to the accomplishment of the FBI mission.
5. Provide effective national and organizational leadership, as well as, effective direction, control and administration of resources

**Federal Bureau of Investigation
Telephone Center Compliance
Justification of Program and Performance
(Dollars in thousands)**

Technical Field Support and Services	Perm. Tot.	FTE	Amount
1996 Appropriation Anticipated
1997 Base
1997 Estimate	\$100,000
Increase/Decrease	100,000

LONG-RANGE GOAL: To effectively articulate the capacity requirements and deployment priorities of the law enforcement community in support of the Communications Assistance for Law Enforcement Act of 1994 (CALEA), and to establish and manage a program of reimbursements to telecommunications carriers, equipment manufacturers, and providers of telecommunications support services for CALEA compliance.

MAJOR OBJECTIVES:

To reimburse telecommunications carriers, equipment manufacturers, and providers of telecommunications support services for reasonable expenses incurred as a result of their modifications to equipment, facilities, and services installed or deployed on or before January 1, 1995, for compliance with the capability requirements set forth in the CALEA.

To consult with Federal, State, and local law enforcement agencies to develop capacity requirements and a deployment priority plan.

To consult with the telecommunications industry to clarify requirements, influence standards development, and provide capacity requirements.

To manage the reimbursement of telecommunications carriers, equipment manufacturers, and providers of telecommunications support services through established cost reimbursement procedures and to verify cost reasonableness associated with development and implementation of solutions.

To support the Attorney General during resolution of disputes in proceedings before the Federal Communications Commission and, if necessary, the courts.

To provide Congress with annual reports accounting for the reimbursement of funds to telecommunications carriers, equipment manufacturers, and providers of telecommunications support services.

BASE PROGRAM DESCRIPTION: The Telephone Carrier Compliance appropriation supports the CALEA (P.L. 102-414). This Act clearly defines the responsibilities of common carriers to provide assistance to law enforcement in conducting lawful wiretap and other electronic communications interceptions. The Act authorizes the Attorney General to pay telecommunications carriers for reasonable costs directly associated with modifying equipment, facilities, and services to achieve compliance with the Act. The Act authorizes \$500 million between 1995 and 1998 for reimbursement. No funding for reimbursements was provided in the appropriations process for either 1995 or 1996. Performance indicator data are unavailable.

PROGRAM CHANGES:

	Perm. Funds	FTE	Amount
INITIATIVE: Telephone Carrier Compliance	\$100,000

This increase seeks to address the following objective:

- 1) To reimburse telecommunications carriers for reasonable expenses incurred to comply with the capability requirements set forth in the CALEA.

Funding totaling \$100 million is requested to address the telecommunications carrier compliance obligation set forth in the CALEA. Sec. 109 of the CALEA states that carriers may be reimbursed, subject to availability of appropriations, for reasonable expenses incurred as a result of the modifications they make to and in connection with equipment, facilities, and services installed or deployed on or before January 1, 1995, in order to ensure law enforcement's ability to conduct electronic surveillance. This initiative supports all Federal, State, and local law enforcement agencies. The Act authorizes the Attorney General to administer payment to carriers for costs to comply with capability requirements. The Attorney General delegated these responsibilities to the FBI.

The CALEA defines a "telecommunications carrier" as any "person or entity engaged in the transmission or switching of wire or electronic communications as a common carrier for hire" (Sec. 102(B)(1)), and includes any "person or entity engaged in providing commercial mobile service" (as defined in Sec. 332(d) of the Communications Act of 1934, as amended (47 U.S.C. 332(d))). This definition includes, but is not limited to, local exchange and interexchange carriers; competitive access providers; resellers; cable operators; utilities; and shared tenant services to the extent that they offer telecommunications services as common carriers for hire; cellular telephone companies; personal communications services providers; satellite-based mobile communications providers; specialized mobile radio services (SMRS) providers; enhanced SMRS providers; and paging service providers. The definition does not include persons or entities insofar as they are engaged in providing information services such as electronic publishing and messaging services.

The scope of compliance encompasses approximately 1,400 local exchange carriers, 480 interexchange carriers, and over 1,000 wireless carriers. If the carriers are not reimbursed, they "... shall be considered to be in compliance with the assistance capability requirements..." without making the necessary modifications. " A failure to fund reimbursements will result in a detrimental impact on law enforcement's effectiveness.

The \$100 million requested in 1997 would enable the FBI to initiate and establish contracts with telecommunications carriers, switch manufacturers and support service providers for the actual development of solutions. The engineering development cycle is a complex process which requires that service providers negotiate time tables for software upgrades with manufacturers. These negotiations assign manufacturer resources and require the service provider to prioritize, for the manufacturers, the development of law enforcement features against all of the other required development. Following negotiations, the law enforcement feature will be assigned to a new software upgrade release and data for development, testing, and installation will be set. Delays in the contracting process will cause manufacturers to reprioritize resources. This occurrence, in turn, will result in a reprioritization of the law enforcement feature and the schedule of a new release date. For now, software releases for major features occur approximately every two years. Depending on the scheduled reprioritization, the law enforcement feature could slip by one or two releases. Therefore, receiving the requested funding is critical to CALEA implementation.

In 1998, the FBI would continue to fund development efforts of carriers, manufacturers, and support service providers. Completed development efforts would be followed by contracts for carriers to purchase, install, and test law enforcement compliant systems.

**Federal Bureau of Investigation
Fiscal Year 1987
Financial Available Program Charges
(Dollars in thousands)**

Item	TF443		Total	
	Req.	Amount	Req.	Amount
Grants				
GS-15.....
GS-14.....
GS-13.....
GS-12.....
GS-11.....
GS-10.....
GS-9.....
GS-8.....
GS-7.....
GS-6.....
GS-5.....
Total positions and annual rate.....
Other (1).....
Other personnel compensation.....
Total workyears and personnel compensation.....
Personnel benefits.....
Travel and transportation of persons.....
Transportation of things.....
GSA rent.....
Rental payments to others.....
Comm. utilities, and misc. charges.....
Printing and reproduction.....
Advisory and assistance services.....
Other services.....
Research and development contracts.....
Operational maintenance of equipment.....
Supplies and materials.....
Equipment.....
Land and structures.....
Total program workyears and obligations charges requested, 1987.....	...	100,000	...	100,000

Federal Bureau of Investigation
Telephone Carrier Compliance
Status of Congressionally Requested Studies, Reports, and Evaluations

The Communications Assistance for Law Enforcement Act of 1994 (CALEA), signed into law on October 25, 1994, directs the Attorney General to submit to Congress, on an annual basis beginning November 30, 1995, a report on amounts paid during the preceding fiscal year to telecommunications carriers under sections 104(e) and 109 of the Act and to provide estimates of amounts expected to be paid in the current fiscal year. The Attorney General delegated management and administration responsibilities of CALEA to the FBI. The first annual report on CALEA was forwarded to Congress in April 1996.

Federal Bureau of Investigation
Telephone Center Compliance
1987 Priority Ranking

BASE PROGRAM		PROGRAM INCREASES	
Program	Ranking	Program	Ranking
Technical Field Support and Services	1	Technical Field Support and Services	1

Federal Bureau of Investigation
Telephone Company
Summary of Requirements by Grade and Object Class
(Dollars in thousands)

Object Class	1965 Actual		1966 Estimate		1967 Request		Increase/Decrease	
	WTS	Amount	WTS	Amount	WTS	Amount	WTS	Amount
25.2 Other services
Total obligations
Unobligated Balance, start of year
Unobligated Balance, end of year
Total requirements
Relation of Obligations to Outlays:								
Total obligations
Obligated Balance, start of year
Obligated Balance, end of year
Outlays

Federal Bureau of Investigation
Telephone Carrier Compliance
Justification of Multi-Activity Program Changes
(Dollars in thousands)

Budget Activity/Program	Carrier Compliance		Total Initiatives	
	Pos.	WY Amount	Pos.	WY Amount
Organized Criminal Enterprises.....
White-Collar Crime.....
Other Field Programs.....
Training, Recruitment, and Applicant.....
Forensic Services.....
Information Management, Automation and Telecommunications.....
Technical Field Support and Services.....	..	\$100,000	..	\$100,000
Criminal Justice Services.....
Management and Administration.....
Total	..	100,000	..	100,000

Department of Justice
Federal Bureau of Investigation
Violent Crime Reduction Program
Estimates for Fiscal Year 1997
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**Federal Bureau of Investigation
Violent Crime Reduction Program
Summary Statement
Fiscal Year 1997**

The Violent Crime Control and Law Enforcement Act of 1994 (P.L. 103-322) authorized and established the Violent Crime Reduction Trust Fund. For 1997, the FBI requires an allocation of \$133,123,000 and 6 positions from the Fund to support various anti-crime initiatives. Of this amount, \$105,658,000 and 4 positions would continue initiatives for which resources were made available from the Fund in 1996. Additionally, \$27,465,000 and 2 positions are required for new or expanded initiatives, including \$1,500,000 for telemarketing fraud investigations, \$5,725,000 and 2 positions for the Federal Wireless Communications initiative, and \$20,240,000 for development and implementation of a National Instant Check System that would immediately identify persons prohibited by Federal or State law from purchasing handguns.

White Collar Crimes

The telemarketing industry in the United States currently generates over \$500 billion annually in sales using telephone solicitations and mass mailings to legitimately conduct business. Unfortunately, criminals have adopted and corrupted telemarketing practices to commit extensive fraud against the American consumer, especially targeting senior citizens and small business owners. Telemarketing fraud is estimated to cost consumers \$40 billion annually. The FBI uses a full range of investigative techniques and strategies to investigate telemarketing fraud, including joint agency task forces, court-approved electronic surveillance, and undercover operations. For example, the recent SENIOR SENTINEL investigation drew upon the combined resources of the FBI, other Federal, State, and local law enforcement agencies and included the use of specially trained volunteer senior citizens to record illicit telemarketer sales pitches. This investigation resulted in the filing of 536 arrest warrants and execution of 117 search warrants.

Title XXV of the Violent Crime Control and Law Enforcement Act of 1994 provides for increased penalties for telemarketing fraud scams directed at senior citizens and authorizes additional funding for FBI investigations of telemarketing fraud. For 1997, \$1,500,000 is required for investigations of telemarketing fraud directed at senior citizens (Section 250005). This funding would be used to provide operational support critical to the successful telemarketing fraud investigations, such as specialized training for agents and investigators, equipment, storage of evidence, and case-related travel.

Funding totaling \$10,715,000 is required to continue initiatives within the Violent Crimes program, including \$5,000,000 for Safe Streets Task Forces, \$1,125,000 for Indian Tribal Police training, \$3,000,000 for aircraft maintenance and operations, \$1,000,000 for a serial crime data base pilot program, \$90,000 for operational support of the Morgan P. Hardiman Task Force on Missing Children, and \$500,000 for a hostage/barricade database. Each of these initiatives received funding from the Fund in 1996.

The FBI presently operates 138 Safe Streets Task Forces that team the efforts of 708 FBI Agents, 1,033 State and local law enforcement officers, and 183 other Federal law enforcement investigators against violent crimes, street gangs, drug-related violence, fugitives, and other major offenders. By 1997, the number of task forces is projected to grow to 158. The FBI's Safe Streets Task Force initiative requires \$5,000,000 in 1997 to continue overtime payments to State and local participants (Section 190001(b)). Additionally, in response to violent crime on Indian reservations and Indian Country, the FBI, in conjunction with the Bureau of Indian Affairs (BIA), is providing comprehensive, advanced training to improve the capabilities of BIA criminal investigators and Tribal Police officers. Jurisdiction over Indian Country crimes is governed by a complex arrangement of Federal, State, and tribal law. Effective, efficient, and timely delivery of law enforcement services to Native Americans and others residing on reservations and Indian Country requires close cooperation between the FBI, Indian Tribal Police, BIA criminal investigators, and United States Attorneys. This training initiative builds the groundwork for interagency cooperation through standardized training, operating procedures, and investigative guidelines. For 1997, \$1,125,000 is requested to continue the Indian Tribal Police training initiative that was begun in 1996 (Section 210501).

The FBI uses a variety of investigative techniques and strategies to attack violent crime, including aircraft. For example, FBI aircraft are relied upon to conduct safe and effective surveillance of suspects and contraband, monitor remote "drop-sites" in kidnapping and extortion cases, and search for missing persons. The availability of this critical investigative technique depends upon sufficient funding for aviation fuel, supplies, spare parts, maintenance of aircraft, and pilot and co-pilot training. Funding totaling \$3,000,000 is required in 1997 to continue support for the FBI's investigative aviation operations (Section 190001(b)).

Funding is also proposed in 1997 to continue initiatives that provide investigative assistance to Federal, State, and local law enforcement in the areas of violent serial crimes, missing and sexually exploited children, and hostage/barricade situations. The Violent Crime Control and Law Enforcement Act of 1994 directs the FBI to develop and implement, on a pilot basis in no more than 10 cities, an intelligence information system that gathers, integrates, organizes, and analyzes information supporting investigations of violent serial crimes. Initial funding for this pilot project was appropriated in 1996. For 1997, the FBI requires \$1,000,000 to continue this development effort (Section 210501). The Morgan P. Hardiman Task Force on Missing Children was established by the FBI, as

required by Title XVII, Subtitle C of the Violent Crime Control and Law Enforcement Act of 1994. This task force, under the leadership of the FBI, consists of experienced investigators from the FBI and six other Federal law enforcement agencies. The task force provides technical assistance to State and local law enforcement in difficult missing children and exploitation cases. For 1997, \$50,000 is proposed for task force operational travel, training, and consulting expenses (Section 210501). In 1995 and 1996, funding was appropriated to develop a hostage/barricade data base that would enable hostage negotiators and crisis managers to develop appropriate strategies for resolution of these types of incidents. The hostage/barricade data base is presently under development using the services of a contract software development firm. For 1997, \$500,000 is required to continue and maintain data base development efforts (Section 190001(b)).

Training, Recruitment, and Applicant

Funding totaling \$2,741,000 is required in 1997 to continue initiatives aimed at improving State and local law enforcement investigative and managerial training and capital improvements at the FBI Academy, Quantico, Virginia. Initial funding for these initiatives was made available under the Fund in 1996.

Title XXI, Subtitle E, provides for expanded and improved investigative and managerial training courses for State, Indian tribal, and local law enforcement agencies. Using funding provided in 1996, the FBI Academy is undertaking the development of distance learning initiatives that would permit the delivery of instructional programs to Federal, State, and local law enforcement and criminal justice practitioners without the cost of traveling to the FBI Academy. Additionally, the FBI is acquiring advanced instructional technologies, such as CD-ROM based instructional programs, for integration into the curriculum of the FBI Academy. State and local law enforcement officers, as well as FBI and DEA personnel, attending the FBI Academy will benefit from these initiatives and improved capabilities. These initiatives allow the FBI to reach a wider law enforcement audience for training programs. Funding totaling \$1,928,000 is required by the FBI to continue distance learning and related instructional initiatives (Sections 210501 and 190001(c)). Additionally, \$813,000 is required to acquire replacement instructional and classroom equipment and furnishings used at the FBI Academy and to maintain the existing instructional infrastructure (Section 190001(b)).

Forensic Services

Funding totaling \$26,793,000 is required to continue several key initiatives within the Forensic Services program that directly assist the FBI and other Federal, State, and local law enforcement agencies investigating violent crimes. These initiatives help combat violent crimes by improving the forensic examination capabilities and services that the FBI Laboratory provides to Federal, State, and local investigators. Additionally, this funding improves the capabilities of State and local forensic laboratories through the sharing and deployment of advanced forensic technologies, equipment, and methodologies developed by the FBI Laboratory.

The FBI's forensic DNA program requires \$15.55 .0 in 1997, including \$9,500,000 to continue the acquisition of DNA laboratory equipment for State and local forensic laboratories (Section 210501), \$5,500,000 to continue implementation of the national Combined DNA Information System (CODIS) data base and DNA quality assurance program (Section 210306), and \$593,000 for supplies used by the FBI Laboratory for FBI DNA examinations (Section 190001(c)). CODIS is presently installed in 46 forensic laboratories in 23 States, with another 29 forensic laboratories expected to install CODIS by the end of 1996. Cases submitted to the FBI Laboratory for DNA examinations are projected to increase 97 percent between 1995 and 1997. Approximately 90 percent of the FBI Laboratory DNA examinations are for State and local violent crime cases such as rapes, murder, and sex offenses. The FBI proposes \$4,200,000 to continue deployment of DRUGFIRE ballistics examination systems in State and local forensic laboratories and the integration of additional functionalities into the baseline DRUGFIRE system (Section 190001(b)). DRUGFIRE is presently installed in 46 forensic laboratories, with another 80 forensic laboratories expected to install DRUGFIRE by the end of 1997. DRUGFIRE has linked nearly 1,000 cartridge cases, matching one of every eight cartridge cases entered from crime scenes and providing investigators with leads that would have otherwise gone undetected. Additional functionalities planned for DRUGFIRE include the integration of bullet matching capabilities with existing cartridge case matching capabilities, regional and national networking and the availability of CD-ROM color reference libraries of exemplars from the FBI Laboratory's extensive National Firearms Reference Collection and Standard Ammunition File.

In 1995, Congress provided funding to initiate a multi-year modernization program of equipment used in the FBI Laboratory. FBI Laboratory examiners performed 632,825 forensic examinations for Federal, State, and local law enforcement in 1995. By 1997, the number of examinations performed is projected to increase to 750,000. The high volume of examinations conducted annually, coupled with continual improvements in technology and scientific instruments used to perform these examinations, makes it critical that the FBI Laboratory be able to acquire and use the most modern forensic equipment available. For 1997, \$6,000,000 is required for the third year of this five-year modernization project (Section 190001(b)). Initial funding was provided in 1995 and 1996 to establish, equip, and train Evidence Response Teams (ERTs) in FBI field offices. These teams respond to crime scenes and identify, collect, and preserve evidence that can link a suspect, vehicle, firearm, clothing, or other article to a crime. Evidence collected at crime scenes and other locations is often presented at trials to demonstrate directly or circumstantially the involvement of the accused. For 1997, \$1,000,000 is proposed for crime scene processing supplies, equipment, operational travel, and specialized training required by ERT members (Section 190001(b)).

Technical Field Support and Services

For 1997, a total of six positions and \$71,134,000 is proposed for initiatives within the Technical Field Support and Services decision unit, including four positions and \$65,409,000 to continue projects for which funding was provided in 1996 and two positions and \$5,725,000 for expansion of the Federal Wireless Communications initiative.

Federal, State, and local law enforcement depend upon court-approved wiretaps, pen registers, and trap-trace capabilities to prevent criminal acts from occurring and to collect evidence of crimes and conspiracies. Court-approved wiretaps are used by law enforcement at all levels to combat illegal drugs, violent crime, terrorism, espionage, white-collar crime, and organized crime. Although used quite sparingly, court-approved wiretapping is an essential tool used by law enforcement to protect public safety, save lives, and protect the national security. The majority of court-approved wiretaps are obtained by State and local law enforcement. The loss of these techniques would be devastating to the fight against crime. The FBI's Advanced Telephony program focuses upon the impact of new and emerging digital telecommunications technologies and services that are flooding our society and their impact on law enforcement electronic surveillance capabilities. In particular, the FBI is developing electronic surveillance techniques and equipment that will replace existing analog capabilities and which can be used in the growing digital telecommunications environment. The techniques and equipment developed under this program are being shared with other Federal, State, and local law enforcement agencies. Funding to support the FBI's Advanced Telephony program was provided from the Fund in 1996. For 1997, \$34,503,000 is required to continue this multi-year development and acquisition program (Section 190001(c)). A related development initiative, the FBI's Tactical Operations program, focuses upon the development of techniques and equipment to defeat physical surveillance systems used by criminals to protect illegal activities and to perform surreptitious entries under court order. Funding for this program was also provided under the Fund in 1996. To continue this multi-year initiative, \$20,799,000 is required in 1997 (Sections 190001(b) and 190001(c)).

The FBI's Federal Wireless Communications program supports the National Performance Review Information Technology initiative of establishing a national, interoperable law enforcement and public safety wireless communications network. In support of this initiative, the Departments of Justice and Treasury established the Federal Law Enforcement Wireless Users Group (FLEWUG) to oversee and direct the development of a national interoperable network. The need for this network is driven by two major factors. First, the reallocation of Federally used radio spectrum to the private sector necessitates the development of more spectrum efficient communications systems. Second, the National Telecommunications and Information Administration mandates that all new Federal radio systems installed after January 1, 1995, achieve a 2-to-1 improvement in radio spectrum use and that all existing systems convert to narrow band operations by 2005. In 1996, initial staffing and funding for the Federal Wireless Communications program was provided. These funds are being used to establish a FLEWUG Program Office. Additionally, funding is being used to examine opportunities to improve spectrum efficiency of existing systems and to begin requirements studies, cost analyses, and technology assessments of emerging wireless communications technologies. For 1997, 6 positions and \$8,330,000 are required to continue these efforts (Section 190001(c)). This amount includes a program increase of 2 positions and \$5,725,000 over the 1996 funded level.

FBI agents depend upon radio networks for communications with other Federal, State, and local law enforcement, and FBI field offices. The ability to communicate is critical to all phases of investigations, such as executing arrest and search warrants,

ordinating activities in fast-breaking cases, and conducting surveillance. Radio communications also serve as a safety net for agencies who are operating increasingly in hostile, adversarial situations and across wide-spread geographic areas. To provide this critical communications capability, the FBI operates the largest, non-Department of Defense, land-based radio network in the United States. An essential component of this communications capability is a nationwide network of leased antenna tower sites which provide locations for microwave repeaters and other network equipment. In 1996, funding was provided from the Fund to support the lease of antenna tower sites and for telecommunications links between sites. For 1997, \$7,500,000 is required to continue lease of sites and telecommunications links that support tactical radio communications (Section 190001(b)).

Criminal Justice Services

The Brady Handgun Violence Prevention Act (P.L. 103-159), signed into law on November 30, 1993, directs the Attorney General to establish, within 60 months of enactment, "a national instant criminal background check system that any licensee may contact, by telephone or by other electronic means in addition to the telephone, to be supplied immediately, on whether receipt of a firearm by a prospective transferee would violate Section 922 of Title 18, United States Code or State Law." Following enactment of the Brady Act, the FBI took steps to implement an interim capability for performing background checks on prospective handgun purchasers. This interim capability allows for a five-day waiting period on handgun sales while the background check is being made through Federal and State authorities. Additionally, the FBI initiated actions to develop the functional requirements, design specification, and systems integration of the National Instant Check System (NICS). The interim response capability and NICS development effort were established with \$16,000,000 appropriated in 1994 and 1995 to the Office of Justice Programs.

The FBI's interim Brady Act capabilities are limited to checks of criminal history information, i.e., arrests, adjudications, and confinements, and to National Crime Information Center (NCIC) wanted files. Full compliance with the Act, however, requires a system that encompasses a much wider scope of criteria, as defined by Title 18, Section 922(d). This section makes it unlawful to sell a firearm to anyone who (1) is under indictment or has been convicted of a felony with a sentence of at least one year; (2) is a fugitive; (3) is a user of, or addicted to, any controlled substances; (4) has been adjudicated as mentally defective or committed to any mental institution; (5) is an illegal alien; (6) has been dishonorably discharged from the Armed Forces; (7) has renounced U.S. citizenship; and (8) is subject to a court order restraining such person from harassing, stalking, or threatening an intimate partner or child of such partner or person. To achieve full compliance, the FBI's existing instant check capabilities must be expanded to access and query other data bases that contain disqualifying information. Development and implementation of the NICS requires \$20,240,000 in 1997 to comply with the statutory mandate of December 1, 1998, for a fully operational national instant check capability that meets Brady Act requirements (Section 190001(c)). This funding would be used for the acquisition of computer and communications equipment, software development, contractor support services, and associated implementation expenses.

**Federal Bureau of Investigation
Violent Crime Reduction Programs
Justification of Proposed Changes in Appropriation Language**

The 1997 budget estimates include proposed changes in the appropriation language listed and explained below. New language is underscored.

Violent Crime Reduction Programs

For activities authorized by the Violent Crime Control and Law Enforcement Act of 1994 (Pub. L. 103-322), as amended, \$13,121,000, to be derived from the Violent Crime Reduction Trust Fund and remain available until expended, of which (1) \$16,400,000 shall be for activities authorized by section 190001(c) of the Act, (2) \$76,423,000 shall be for activities authorized by section 190001(b), of which \$20,240,000 shall be for activities authorized by the section 101 of the Brady Handgun Violence Prevention Act (Pub. L. 103-159), as amended; (3) \$4,000,000 shall be for training and investigative assistance authorized by 42 U.S.C. 14151; (4) \$9,500,000 shall be for DNA enrollment for State and local governments, as authorized by 42 U.S.C. 14151; (5) \$5,500,000 shall be for establishing DNA quality assurance and proficiency-testing standards, establishing an index to facilitate law enforcement exchange of DNA identification information, and related activities authorized by 42 U.S.C. 14151; and (6) \$1,500,000 shall be for investigative support for Senior Citizens Against Marketing Scams, as authorized by section 250005 of the 1994 Act.

Note: A regular 1996 appropriation for this account had not been enacted at the time this budget was prepared. The 1996 amounts included in this budget are based on the levels provided in three continuing resolutions, P.L. 104-91, P.L. 104-92, and P.L. 104-99.

Federal Bureau of Investigation
Violent Crime Reduction Program (VCRP)
Comparison of 1998 Changes
(Dollars in thousands)

Activity/Program	1998 President's Budget Request			Congressional Action on 1998 Request			Adj. to NY			Transfers Between Accounts			Reprogramming			1998 Appropriation Allocated		
	Pm.	NY	Asmt.	Pm.	NY	Asmt.	Pm.	NY	Asmt.	Pm.	NY	Asmt.	Pm.	NY	Asmt.	Pm.	NY	Asmt.
1 Criminal Security and Other Investigations																		
a. Organized Criminal Enterprises						\$6,906												\$6,906
b. Racketeering Crime						639												639
c. Violent Crime				208	208	34,066										208	208	34,066
d. National Security																		
Subtotal				208	208	37,691										208	208	37,691
2 Law Enforcement Support																		
a. Training, Recruitment, and Applicant			\$6,000			1,646												7,646
b. Forensic Services			4,000	165	165	41,389										165	165	45,599
c. Information Management, Analysis and Telecommunications						25,483												25,483
d. Technical Field Support & Services	4	2	35,900			61,545										4	2	97,445
e. Criminal Justice Services						4,256												4,256
Subtotal	4	2	46,500	165	165	134,109										169	167	180,609
3 Program Direction																		
a. Management and Administration																		
Total	4	2	46,500	373	373	171,800										377	375	218,200

Congressional Actions:

Under the Violent Crime Reduction Program (VCRP), the Congress added the following increases for 1996: \$9,500,000 to equip State and local crime laboratories with CODIS technology; \$7,500,000 for Antenna Site Leases; and \$5,000,000 for State/local Safe Streets Task Force overtime. Congress also added an additional \$1,350,000 to the President's request of \$4,150,000 for the FBI's CODIS program.

Program increases that were requested in the President's budget under Salaries and Expenses (S&E) but were funded by Congress under VCRP include: \$9,900,000 for laboratory equipment modernization; \$2,900,000 for Evidence Response Teams; \$20,799,000 for tactical operations (President's request under S&E was \$37,800,000); \$1,500,000 for the Hostage/Barricade database; \$3,500,000 for the NCIC Gang/Terrorist File; \$4,200,000 for the FBI's DRUGFIRE program (President's request under S&E was \$600,000 for contract ADP services); and \$3,000,000 for aviation support (President's request under S&E was \$4,520,000).

Additionally, Congress denied the President's request of \$1,231,000 for FBI Academy construction/upgrades; however, a total of \$30,500,000 was funded for these activities in the FBI's Construction account.

Congressional actions also includes a one-year transfer of \$103,882,000 and 373 positions and workyears from S&E to the VCRP. The one-year base transfer consists of: 1) \$639,000 from the White Collar Crime program; 2) \$4,892,000 from the Training, Recruitment and Applicant Program; 3) \$13,539,000 and 165 positions and workyears from Forensic Services; 4) \$25,483,000 from the Information Management, Automation and Telecommunications program; 5) \$33,246,000 from Technical Field Support Services; 6) \$746,000 from Criminal Justice Services; 7) \$18,351,000 and 208 positions and workyears from Violent Crimes; and 8) \$6,986,000 from Organized Criminal Enterprises.

**Federal Bureau of Investigation
Violent Crime Reduction Program
Summary of Replacments
(Dollars in thousands)**

Adjustments to Base:							
	Perm. Pos.	WY	Amount		Perm. Pos.	WY	Amount
1986 Conference Allowance							
Transfer from Salaries and Expenses							
Program Changes							
1986 Appropriation Anticipated							
Transfer to Salaries and Expenses							
Decreases (automatic, non-policy)							
Increases (automatic, non-policy)							
1987 Base							
Program Changes (See Program Narrative for Details)							
1987 Estimate							
	373	373	\$1,210		373	373	\$1,210
	4	4	100,842		4	4	100,842
	377	377	113,189		377	377	113,189
	(373)	(373)	(100,842)		(373)	(373)	(100,842)
	4	4	113,189		4	4	113,189
	377	377	218,300		377	377	218,300
	4	4	100,842		4	4	100,842
	377	377	113,189		377	377	113,189
	4	4	100,842		4	4	100,842
	377	377	218,300		377	377	218,300
	4	4	100,842		4	4	100,842
	377	377	218,300		377	377	218,300
	4	4	100,842		4	4	100,842
	377	377	218,300		377	377	218,300
	4	4	100,842		4	4	100,842
	377	377	218,300		377	377	218,300
	4	4	100,842		4	4	100,842
	377	377	218,300		377	377	218,300
	4	4	100,842		4	4	100,842
	377	377	218,300		377	377	218,300
	4	4	100,842		4	4	100,842
	377	377	218,300		377	377	218,300
	4	4	100,842		4	4	100,842
	377	377	218,300		377	377	218,300
	4	4	100,842		4	4	100,842
	377	377	218,300		377	377	218,300
	4	4	100,842		4	4	100,842
	377	377	218,300		377	377	218,300
	4	4	100,842		4	4	100,842
	377	377	218,300		377	377	218,300
	4	4	100,842		4	4	100,842
	377	377	218,300		377	377	218,300
	4	4	100,842		4	4	100,842
	377	377	218,300		377	377	218,300
	4	4	100,842		4	4	100,842
	377	377	218,300		377	377	218,300
	4	4	100,842		4	4	100,842
	377	377	218,300		377	377	218,300
	4	4	100,842		4	4	100,842
	377	377	218,300		377	377	218,300
	4	4	100,842		4	4	100,842
	377	377	218,300		377	377	218,300
	4	4	100,842		4	4	100,842
	377	377	218,300		377	377	218,300
	4	4	100,842		4	4	100,842
	377	377	218,300		377	377	218,300
	4	4	100,842		4	4	100,842
	377	377	218,300		377	377	218,300
	4	4	100,842		4	4	100,842
	377	377	218,300		377	377	218,300
	4	4	100,842		4	4	100,842
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Federal Bureau of Investigation
United States Department of Justice
Bureau of Research and Statistics
(Office in Washington)

	1995 Actuals			1996 Appropriation			1997 Base			1997 Estimate			Increase/Decrease		
	Pos.	W.Y.	Amount	Pos.	W.Y.	Amount	Pos.	W.Y.	Amount	Pos.	W.Y.	Amount	Pos.	W.Y.	Amount
Estimates by Program															
Criminal, Security, and															
Other Investigations															
Organized Criminal Enterprises															
White Collar Crime															
Other Field Programs															
Subtotal															
Law Enforcement Support															
Training, Recruitment, and Applicant															
Planning Services															
Information Management, Automation,															
and Telecommunications															
Technical Field Support & Services															
Criminal Justice Services															
Subtotal															
Program Direction															
Management and Administration															
TOTAL															
Direct Total															
Other Workyears															
Holiday															
Overtime															
AVP															
Other															
Total Compensable, Direct Workyears															
Reimbursable Total															
Other Workyears															
Holiday															
Overtime															
AVP															
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Total Compensable, Reimbursable Workyears															
Direct and Reimbursable Workyears															
Total Compensable Workyears															

**Federal Bureau of Investigation
Violent Crime and Reduction Program
Program Performance Information
Government Performance and Results Act Requirements**

MISSION: The mission of the FBI is to uphold the law through the investigation of violations of federal criminal law; to protect the United States from foreign intelligence activities; to provide leadership and law enforcement assistance to federal, state, local, and international agencies; and to perform these responsibilities in a manner that is responsive to the needs of the public and is faithful to the Constitution of the United States.

ORGANIZATIONAL GOALS

1. Investigate violations of the laws of the United States within FBI jurisdiction, collect evidence in domestic and international cases in which the United States is or may be a party of interest.
2. Collect, analyze, and exploit information to identify and neutralize the activities of foreign powers and their agents, and domestic entities, that adversely affect the United States' national security through counterintelligence, counterterrorism, and security countermeasures investigations.
3. Provide forensic, identification, information and training services external to the FBI.
4. Provide effectively and efficiently those supporting services necessary to the accomplishment of the FBI mission.
5. Provide effective national and organizational leadership, as well as, effective direction, control and administration of resources.

**Federal Bureau of Investigation
Violent Crime Reduction Program
Justification of Program and Performance
(Dollars in thousands)**

White-Collar Crime	Perm. Pos.	FTE	Amount
1996 Appropriation Anticipated
1997 Base
1997 Estimate	\$1,500
Increase/Decrease	1,500

LONG-RANGE GOAL: To reduce losses to victims of fraudulent telemarketing schemes and practices..

MAJOR OBJECTIVES:

To identify, investigate, and obtain prosecution of individuals involved in fraudulent telemarketing practices.

To provide operational support to telemarketing fraud task forces and working groups.

BASE PROGRAM DESCRIPTION: The Violent Crime Control and Law Enforcement Act of 1994 established and authorized the Violent Crime Reduction Trust Fund (VCRTF). Title XXV of the Act (Sections 250001-250008) provides enhanced penalties for telemarketing fraud scams directed at senior citizens. Section 250005 authorizes \$1,500,000 for the FBI in 1997 for the investigation of telemarketing fraud. For 1997, the FBI requests a VCRTF allocation totaling \$1,500,000 to investigate telemarketing scams aimed at senior citizens. There is no base funding for this initiative within the VCRTF.

PROGRAM CHANGES:

Perm. Pos.	FTE	Amount
...	...	\$1,500

INITIATIVE: Technology Related Crime

Telemarketing is a term that applies to frequently used legitimate sales techniques and is not necessarily criminal in nature. Many legitimate businesses and organizations utilize multiple telephone solicitations and mass mailings to legitimately conduct business. The legitimate industry currently generates over \$500 billion per year in sales. Unfortunately, fraudulent telemarketing practices cost the American consumer an estimated \$40 billion dollars annually. Telemarketing fraud can be one of the more difficult white-collar crimes to investigate. The typical owners/operators of fraudulent telemarketing firms use multiple aliases, telephones, mail drops and, at times, different business locations. They can change their method of solicitation, product line, and other recognizable traits overnight. Their operations are mobile, and their schemes are complex. Telemarketing fraud is considered a highly under-reported crime problem due to the embarrassment and complacency of victims, any of whom are senior citizens.

An example of the scope and complexity of telemarketing fraud is the FBI investigation "SENIOR SENTINEL," which surfaced on December 7, 1995. SENIOR SENTINEL coordinated law enforcement resources from various state, local and federal law enforcement agencies who used senior citizen volunteers to consensually record the telemarketer's pitch as evidence of fraud. Thirty-nine FBI field offices participated in this initiative focusing on telemarketers who prey on the elderly. During the investigation, 536 arrest warrants were obtained and 117 search warrants were executed. As of December 13, 1995, 434 of the 536 arrest warrants had been executed. The total arrests conducted over the course of this initiative is 447. Some of the subjects were located outside the United States.

To address and reduce the overall telemarketing crime problem, it is necessary to investigate complex conspiracy cases which can be resource intensive. The following thirteen FBI offices have either informal task forces (working groups) to investigate telemarketing fraud but do not have adequate nonpersonnel funding: Baltimore, Buffalo, Cleveland (Akron R.A.), Denver, Knoxville, Las Vegas, Los Angeles, Miami, New York, Philadelphia, Phoenix, Pittsburgh, and San Diego. All other offices have leads and cases involving telemarketing fraud but lack the resources. The task forces vary on which agencies participate, but generally include local law enforcement (State and local police and State attorney's general and local prosecutors), U.S. Postal Inspectors, Internal Revenue Service - Criminal Investigative Division and U.S. Secret Service.

Total nonpersonnel funding of \$1,500,000 is requested to train, equip, and provide travel funds for joint FBI/other law enforcement agency task forces targeting individuals and/or businesses that commit telemarketing fraud. This funding would provide storage space for the voluminous financial documents subpoenaed and provide space for task force operations. Additionally, funding would allow FBI task force personnel to conduct three regional training seminars.

Performance Indicator data are included in the Salaries and Expenses Appropriations section.

**Federal Bureau of Investigation
Violent Crime Reduction Program
Justification of Program and Performance
(Dollars in thousands)**

Violent Crimes	Perm. Pos.	FTE	Amount
1996 Appropriation Anticipated	208	208	\$30,066
1997 Base	..	..	10,715
1997 Estimate	..	..	10,715
Increase/Decrease	..	..	..

LONG-RANGE GOAL: To reduce the incidence and impact of violent and property crime victimization against citizens and communities in the United States and the United States Government. To provide a rapid and coordinated response to incidents of a crisis nature.

MAJOR OBJECTIVES:

To investigate violent criminal activities in conjunction with State and local law enforcement through the Safe Streets Violent Crime Initiative.

To provide investigative training to Bureau of Indian Affairs (BIA) and Tribal Police.

To provide training and operational support in the areas of crisis management, negotiations, criminal investigative analysis, child abduction matters, and the assessment, selection and training of FBI undercover employees.

BASE PROGRAM DESCRIPTION: For 1996, the FBI proposes a transfer of personnel resources within the Violent Crimes Program totaling 208 positions (118 agents) and \$18,350,890 from Salaries and Expenses to the Violent Crime Reduction Program.

The Violent Crime Reduction Program provides funding which enables the FBI to expand its major violent crime initiative, the Safe Streets Task Force (SSTF). In particular, this funding allows the FBI to reimburse State and local law enforcement agencies for extraordinary expenditures caused by participating in the SSTFs. Additionally, this fund provides operational funding to the Critical Incident Response Group (CIRG) which responds to crisis situations.

This Safe Streets Initiative addresses the multitude of violent crime problems occurring throughout the United States. The base level of funding assumes a \$5 million base to reimburse State and local police officers for their expenses incurred to participate on SSTFs, to include items such as overtime, rental of vehicles, and equipment. The SSTFs team the FBI with other Federal, State and local law enforcement agencies to employ their collective resources in aggressively addressing regional violent crime problems. SSTFs are designed to address street gang and drug-related violence, as well as seek the most significant fugitives wanted for crimes of violence through the establishment of these long-term, proactive and coordinated teams of Federal, State and local law enforcement officers and prosecutors. The multi-agency task forces primarily focuses on gang violence, bank robbery, kidnapping, extortion, armed robbery, drug-related violent crimes, vehicle theft, property theft, and the location of violent criminal offenders.

Currently, there are 138 SSTFs operational in 53 field offices, with 1,033 State/local officers, 708 FBI agents, and 183 other Federal law enforcement personnel. Specifically, there are 64 violent crimes, 33 violent crime/fugitive, 32 fugitive, and nine major offender task forces. The SSTFs have proven extremely successful in maximizing the collective efforts of Federal, State and local resources in addressing violent criminal offenders. Base level funding of \$5 million is used for SSTF operation and overtime payments for State and local participants.

A Memorandum of Understanding between the Department of Interior, BIA, and Department of Justice directs the FBI to assist the BIA by providing training to their criminal investigators and police officers. Jurisdiction over Indian Country crimes is governed by a complex arrangement between Federal, State and tribal law. By providing training to the BIA and Tribal officers, limited law enforcement resources can be utilized more efficiently and effectively. Additionally, a coordinated training effort among all law enforcement entities will also result in more cohesive investigations of Indian Country crimes. This training effort will continue in 1997.

In 1996, Congress appropriated \$1.125 million for the FBI to provide this operationally driven training. Indian Country or Native American Tribal Governments number approximately 555 separate sovereignties and are scattered throughout the United States. Federal law enforcement has jurisdiction over approximately 168 Indian reservations, upon which one-half million Indians reside. The training provided by the FBI is performed on a regional basis throughout the United States, and includes case management, the handling of crime scenes, preservation of evidence, homicide investigations, sex crimes' investigations, proactive approaches to solving crime, Federal legal procedures, Indian law, report writing and administrative matters. The results of this standardized training are that the BIA criminal investigators, tribal police officers, and the FBI will all operate utilizing the same investigative guidelines and standard operating procedures when responding to crimes committed in Indian Country.

The CIRG consolidates all FBI units and functions that deal with crisis situations and certain major case investigations. CIRG entities facilitate the coordination of FBI responses to major law enforcement crises and special investigations. The CIRG is comprised of two branches, Special Investigations and Tactical Support. The Special Investigations Branch consists of the Crisis Management Unit, Child Abduction and Serial Killers Unit (CASKU), Aviation and Special Operations Unit, Investigative Support Unit (ISU), and Undercover Safeguard Unit. The CASKU and ISU comprise the National Center for the Analysis of Violent Crime. The Tactical Support Branch consists of the Hostage Rescue Team, Special Weapons and Tactics Unit, and Special Detail Unit. The CIRG responds to crimes which pose great dangers and require skills that are not routinely available in many law enforcement agencies. When faced with complex incidents, law enforcement must respond by providing trained and experienced negotiators, supported by pertinent research of successful techniques in similar situations, which will increase the potential of a peaceful resolution. Behavioral science experts advise tacticians, negotiators, and crisis managers regarding subjects and potential strategies. CIRG personnel also provide expertise in the areas of serial killers and undercover agent assessments.

Through the Violent Crime Reduction Program in 1996, Congress appropriated \$5,590,000 in operational funding to enhance the CIRG's response to crisis situations. This appropriation provided \$90,000 for the CASKU/Morgan P. Hardiman Task Force; \$1,000,000 for the Violent Criminal Apprehension Program demonstration project; \$3,000,000 for aircraft maintenance; and, \$1,500,000 for automation upgrades to the hostage/barricade database.

Performance indicator data are included in the FBI's Salaries and Expenses appropriations section.

**Federal Bureau of Investigation
Violent Crime Reduction Program
Justification of Program and Performance
(Dollars in thousands)**

Training, Recruitment, and Applicant	Perm. Pos.	FTE	Amount
1996 Appropriation Anticipated	\$ 7,466
1997 Base	2,741
1997 Estimate	2,741
Increase/Decrease

LONG-RANGE GOAL: To effectively recruit, process, investigate and appoint the most qualified individual available to meet FBI staffing needs, to provide initial and advanced professional training and investigative support for FBI Agent and support personnel, and to provide training and retraining sessions to Federal, State, local and international law enforcement officers through the FBI National Academy (N/A) and International programs, enabling them to carry out their increasingly complex responsibilities in an efficient, professional, and effective manner.

MAJOR OBJECTIVES:

Graduate trainees who have the necessary skills and knowledge in the areas of informant/intelligence gathering, communications, interviewing and investigative techniques, legal, firearms, and defensive tactics to function as GS-10 investigators upon assignment to an FBI field office.

Enhance the curriculum and train the approved number of State and local police officers in the National Academy program.

Conduct necessary FBI In-Service Training at the FBI Academy and on a regional basis consistent with available funding. The Training Division would also expand its efforts to use a variety of innovative approaches (such as distance learning and performance support) to ensure employees continue to have access to the knowledge and skills necessary to perform their jobs.

Evaluate Criminal Investigative Division's training programs provided to the field, International Training, New Agent Training and National Academy.

Host in coordination with the Laboratory Division at least one technical symposium annually on a topic of broad interest to the forensic community such as DNA and fingerprint

technologies, trace evidence, or an international symposium on crime laboratory development.

Provide necessary firearms and related equipment to New Agents to include handgun, handcuffs, leatherwear, eye and ear protection, chemical agents, ballistic protective undergarments, gun cleaning supplies, targets, and ammunition. Shoulder weapons (MP-5s and shotguns) are provided commensurate with the needs of FBI Field Offices.

Maintain the land, buildings, equipment, furnishings, and fixtures of the FBI Academy complex in a manner consistent with and conducive to an effective, efficient, safe, and healthy learning and living environment.

BASE PROGRAM DESCRIPTION: The Training, Recruitment, and Applicant Program includes the recruiting, selecting, hiring, and training of new FBI agent and support employees, as well as the continuing education and development of all FBI employees.

The FBI New Agent Training Program provides comprehensive instruction to ensure that entry level Special Agents possess the basic knowledge and skills required to serve the American public. Among the components of the New Agent Training curriculum are behavioral science, communications/interviewing, ethics, legal instruction, informant development, physical fitness/defensive tactics, evidence, firearms, Equal Employment Opportunity/sensitivity training, field office administrative operations and procedures, and practical problems. Agent trainees also receive instruction for each of the FBI's investigative programs: organized crime, drugs, violent crimes, white-collar crimes, counterintelligence, terrorism, civil rights, and applicant. The FBI expects to train approximately 1,042 new agents in 1996 and 783 in 1997.

There is a continuing need to provide training and development courses for FBI personnel assigned to field offices and FBI Headquarters. This training is necessary to maintain and enhance the professional skills of FBI personnel in their present assignments, to equip personnel to handle new investigative and administrative requirements, and to develop the leadership and management skills of potential supervisors, managers, and executives. Because of Academy capacity limitations and the emphasis on New Agent Training, most priority in-service training will have to be done on a regional basis in 1996 and 1997.

The FBI is committed to providing high quality training to its personnel and the law enforcement community at large. The FBI conducts its training program at the FBI Academy located in Quantico, Virginia, field offices and off-site locations, and at State, local and regional facilities throughout the Nation. At the FBI Academy, training is provided for FBI New Agent Training; the FBI, State and local law enforcement officers; Drug Enforcement Administration (DEA) Basic Agent Training; and, . . . capacity permits, in-services/comprehensive FBI management training, and specialized schools, conferences, and symposia. In addition, the International Law Enforcement Academy in Budapest began operations in April 1995, to address the FBI's training mission in Central Europe.

The FBI also provides instruction for state and local criminal justice practitioners, both at the FBI Academy and throughout the United States at state, regional, and local training facilities. The principal course for state and local law enforcement officers is the FBI National Academy program, an 11-week multi disciplinary program for officers who are considered to have potential for further advancement in their careers by their nominating agency heads. During 1995, 1,029 state, local and international law enforcement officers attended the FBI National Academy. Three other training opportunities at the FBI Academy exist for State and local law enforcement personnel: the National Executive Institute, a 15-day program for chief executives of the Nation's largest law enforcement organizations, the Law Enforcement Executive Development Seminar, designed and focused upon

police chiefs from mid-sized agencies, and the National Law Institute, a one-week specialized training program for state and local police legal advisors and prosecutors.

In addition to sessions offered at the FBI Academy, the FBI conducts and participates in courses and seminars at state, regional, and local training facilities. These training sessions cover the full range of law enforcement training topics, such as hostage negotiations, computer-related crimes, death investigations, violent crimes, criminal psychology, forensic science, and arson. During 1995, 123,629 state and local law enforcement officers were trained by FBI instructors.

Funding totaling \$2,741,000 is required in 1997 to continue initiatives aimed at improving State and local law enforcement investigative and managerial training and capital improvement at the FBI Academy, Quantico, Virginia. Initial funding for these initiatives was made available under the Fund in 1996.

Title XXI, Subtitle B, provides for expanded and improved investigative and managerial training courses for State, Indian tribal, and local law enforcement agencies. Using funding provided in 1996, the FBI Academy is undertaking the development of distance learning initiatives that would permit the delivery of instructional programs to Federal, State, and local law enforcement and criminal justice practitioners without the cost of traveling to the FBI Academy. Additionally, the FBI is acquiring advanced instructional technologies, such as CD-ROM based instructional programs, for integration into the curriculum of the FBI Academy. State and local law enforcement officers, as well as FBI and DEA personnel, attending the FBI Academy will benefit from these initiatives and improved capabilities. These initiatives allow the FBI to reach a wider law enforcement audience for training programs.

Performance indicator data are included in the FBI's Salaries and Expenses appropriations section.

**Federal Bureau of Investigation
Violent Crime Reduction Program
Justification of Program and Performance
(Dollars in thousands)**

Forecast Services	Perm.		EIE		Amount
	Pos.				
1996 Appropriation Anticipated	165		165		\$45,989
1997 Base	...		...		26,793
1997 Estimate	...		...		26,793
Increase/Decrease	...		...		...

LONG-RANGE GOAL: To support the Federal and non-Federal criminal justice system by: developing an automated database of DNA patterns from evidence and/or individuals for examination and comparison; working with other laboratories to exchange information on DNA testing methods, sharing protocol, encouraging consensus on standards, and ensuring use of quality assurance and proficiency testing programs; developing a database and network software to match and exchange images of firearms evidence from violent crimes; providing a highly productive and effective means of preserving crime scenes integrity and collection of evidence; and adequately equipping laboratory technicians and examiners with the most modern technologically advanced forensic equipment.

MAJOR OBJECTIVES:

To increase the number of State and local laboratories participating in the FBI's Combined Deoxyribonucleic Acid (DNA) Index System (CODIS) and to expand current capabilities by continuing research, development, testing, and deployment of CODIS.

To increase the number of metropolitan area and forensic firearms laboratories participating in the FBI's DRUGFIRE system and to continue upgrading the system through technological research and development, testing, and deployment.

To provide FBI Evidence Response Teams (ERT) with the appropriate protective gear, technical equipment, supplies, and training necessary to conduct crime scene preservation

and collection of evidence.

To provide FBI Laboratory examiners, technicians and support employees with the most modern state-of-the-art forensic laboratory facilities, equipment, instrumentation, and techniques.

BASE PROGRAM DESCRIPTION:

The 1996 Justice Appropriations Act included an unspecified one-year transfer of functions from Salaries and Expenses to the VCRP. The FBI applied a portion of this one-year only transfer to the Forensic Services program, which accounts for the higher level of resources shown for 1996.

Through the Violent Crime Reduction Program (VCRP), funding totaling \$26,793,000 is proposed for several key FBI Laboratory initiatives including: (1) FBI Laboratory Modernization; (2) Evidence Response Teams; (3) forensic DNA examinations; and (4) DRUGFIRE. These initiatives provide for both enhanced forensic capabilities within the FBI Laboratory and for the development and sharing of new forensic techniques and capabilities to State and local crime laboratories.

The 1997 budget provides \$6,000,000 from the VCRP for the third year of multi-year modernization of FBI Laboratory equipment. The majority of equipment funds will be used to support the primary initiatives in the Laboratory: DNA Analysis, Forensic Training, Field Photo Support, Foreign Language Services, and Polygraph. The Laboratory Division (LD) will use the VCRP funding to replace broken and antiquated equipment that has been retained far beyond what would normally be considered its useful life. Specialized equipment is often expensive. For example, one DNA Sequencer can cost over \$100,000 and the replacement cost for a Gas Chromatograph/Mass Spectrometer is in excess of \$450,000. The FBI Laboratory is in the process of buying microscopes, light sources, computers and other equipment needed to perform routine laboratory procedures and examination of evidence. The five-year modernization effort is estimated at \$30,000,000, of which \$12,000,000 has been appropriated to date.

The FBI Laboratory has worked closely with the FBI field offices to develop, train, and equip Evidence Response Teams (ERT). For 1997, a total of \$1,000,000 in VCRP funding will be used to assist field offices with establishing and maintaining specially trained ERTs that are responsible for collecting and preserving evidence in a consistent, highly reliable manner. The ERT program requires funding for equipment, protective gear, other miscellaneous equipment such as test kits and light sources, and expendable supplies.

VCRP base funds for the FBI's CODIS program for 1997 totals \$15,000,000, of which \$5,500,000 would be spent on contract ADP services to develop software and operate CODIS for State and local crime laboratories. The remaining \$9,500,000 would be used to provide State and local laboratories with CODIS computer workstations and software. The DNA Identification Act, which was included in the 1994 Crime Bill, authorized the FBI to establish CODIS as the national DNA database.

The FBI has developed CODIS to function as a national DNA database system containing indexes of DNA profiles from convicted offenders and unsolved crime scenes. A missing persons index is under development. CODIS permits State and local law enforcement crime laboratories to exchange and compare DNA profiles electronically, thereby linking serial violent crimes (especially rapes) to each other, and identifying suspects by matching DNA from crime scenes to convicted sex offenders. As of December 1995, there are 46 CODIS sites in 23 States, with another 29 laboratories expected to install CODIS by the end of 1996. The FBI Laboratory manages the CODIS program. Computer support and maintenance is provided through a services contract with Synetics Corporation. The continued success of CODIS rests on having sufficient contractor personnel to sustain software development and maintenance, conduct installations and user training, and provide technical support to the FBI and State and local crime laboratories.

DNA testing is provided free of charge to any law enforcement agency in the U.S., including travel for examiners to testify in court. From 1991 to 1993, DNA cases submitted to the FBI Laboratory increased by 53 percent. From 1995 to 1997, it is projected that DNA cases submitted will increase by another 92 percent. This increase is due largely to the introduction of new DNA testing techniques. These techniques will permit testing on smaller quantities of DNA, as well as new tissues (e.g., bone, teeth, hair, and skin). Due to these new techniques, more cases will be addressed than ever before, and the demand for new testing information will increase significantly. The forensic science and law enforcement communities are already aware of these new DNA technologies being brought on-line and are preparing to utilize this valuable service.

DRUGFIRE is a computer database system which allows laboratories within a region or large metropolitan area to exchange and compare images of fired ammunition casings. The microscopic machining marks on cartridge cases or bullets, resulting when a gun is fired, are scanned, and the image is stored in the DRUGFIRE database. After searching the database, these images are then electronically recalled, transmitted, compared, and matched to other evidence, thereby connecting shootings previously thought unrelated, or linking crimes to certain weapons. The FBI acquired the services of Micrometric Systems, Inc. (MSI) to develop the DRUGFIRE system. Color picture reference libraries of the FBI Laboratory's ammunition and firearms collections (stored on CD-ROM) will be an additional feature of the DRUGFIRE system. Also, networking capabilities will be expanded to allow inter-regional exchange of DRUGFIRE images and data between any two DRUGFIRE sites in the United States. As of November 1995, there were 46 DRUGFIRE sites within the United States, with another 80 laboratories expected to install DRUGFIRE by the end of 1997. The networking capability will be developed by MSI through the existing contract.

DRUGFIRE has linked nearly 800 cartridge cases, matching one of every eight cartridge cases entered from crime scenes and providing police with investigative leads that would have otherwise gone undetected. In some cases, the match shows that the same gun was used repeatedly in criminal activity. In other cases, a seized gun was test-fired and linked to one or more previous shootings. For example, during "Operation Clean-Up", the FBI used DRUGFIRE to assist the Washington Metropolitan Police Department in working through its backlog of over 2,000 firearms cases. DRUGFIRE proved to be highly successful, recording 38 hits and linking 57 cartridge cases of the 247 cartridge cases entered, a 23 percent hit rate.

FBI Laboratory staff manages the DRUGFIRE program but uses a services contract with MSI for software development. DRUGFIRE's continued success depends on having sufficient MSI personnel to sustain software development and maintenance, conduct installations and user training, and provide technical support to the FBI, and State and local crime laboratories. Additionally, VCRP funding allows the FBI to focus on developing DRUGFIRE into a truly national system, by allowing any two DRUGFIRE sites in the country to exchange firearms images and information on any investigation. This development would essentially migrate DRUGFIRE from a regional system to the first fully integrated, national firearm and cartridge case/bullet database system. The FBI is also beginning to examine the possibility of re-engineering the algorithm used to search, select, and rank candidate matches. Preliminary results are very promising that all true matches can be ranked very close to the top of the list of candidate images. Following testing to document sensitivity and accuracy, these advances would be included in future releases of DRUGFIRE software.

Base funds in the amount of \$4,200,000 are proposed to continue the development, installation and operation of the DRUGFIRE system. This funding will be used for: ADP contractor services to continue development of DRUGFIRE system software; continuing and increasing user support, maintaining current DRUGFIRE sites; expanding the number of operational DRUGFIRE sites; continuing development, refinement, and integration of the FBI Laboratory's National Firearms Reference Collection and Standard Ammunition File into the DRUGFIRE database; and equipping State and local crime laboratories with DRUGFIRE equipment and software.

Program measure indicators relating to the FBI's forensic programs are included under the Forensic Services Salaries and Expenses justification.

**Federal Bureau of Investigation
Violent Crime Reduction Program
Justification of Program and Performance
(Dollars in thousands)**

Technical Field Support and Services	Perm. Pos.	FTE	Amount
1996 Appropriation Anticipated	4	2	\$97,445
1997 Base	4	4	65,409
1997 Estimate	6	5	71,134
Increase/Decrease	2	1	5,725

LONG-RANGE GOAL: To provide engineering services, technical support, and equipment to FBI field offices and conduct necessary research and development to adapt technology for deployment against criminal and terrorist activities.

MAJOR OBJECTIVES:

To establish a national wireless network to support the Federal law enforcement communications requirements.

To address the most critical shortfalls in technical investigative capabilities through the use of digital telephony.

To conduct research and development in support of new technologies in an effort to produce state-of-the-art investigative techniques.

BASE PROGRAM DESCRIPTION: The Violent Crime Control and Law Enforcement Act of 1994 established and authorized the Violent Crime Reduction Trust Fund (VCRTF). The anticipated 1996 Appropriation includes a VCRTF allocation of \$97,445,000 under the Technical Field Support and Services (TFS&S) Program to finance Advanced Telephony, Technical Operations, Federal Wireless Communications, and Infrastructure initiatives. For 1997, base level funding of \$65,409,000 will be used to continue the Advanced Telephony (\$34,505,000), Tactical Operations (\$20,799,000), Federal Wireless Communications (\$2,605,000), and Antenna Site Lease (\$7,500,000) programs. Base funds in 1997 reflect a transfer of \$33,246,000 from the Violent Crime Reduction Program (VCRP) to Salaries and Expenses. The 1996 Congressional appropriation included an unspecified base transfer from Salaries and Expenses to the VCRP; the FBI applied a portion of this one-year only action to the TFS&S Program. The \$33,246,000 transferred back to the Salaries and Expenses appropriation consists of \$10,266,000 for radio equipment and maintenance; \$7,926,000 to support Advanced Telephony development and

equipment; \$504,000 to support Technical Programs training for Electronics Technicians and Technically Trained Agents; \$840,000 for Crisis Response Program equipment; \$2,847,000 to support research and development for criminal programs; \$2,792,000 for Special Operations equipment such as closed circuit television, electro-optics, audio collection, and radio frequency transmission equipment; \$2,368,000 for Surveillance Support equipment such as Advanced Specialized Technical Surveillance Vehicles, Radio Surveillance Aids used for tracking and locating, and Rapid Prototyping Facility equipment; \$1,231,000 for Operational Support equipment such as recorders, audio/video signal processing, and Special Cellular Application Team equipment; \$190,000 for Engineering Services; \$166,000 for Electronic Analysis equipment for Technical Surveillance Countermeasures and Special Search Techniques; \$116,000 for equipment required to support the Engineering Research Facility physical plant; and \$4,000,000 for field office furniture and equipment. Performance indicator data for items except Federal Wireless Communications are included in the FBI's Salaries and Expenses appropriations section.

PROGRAM CHANGES:

	Perm. Pos.	FTE	Amount
INITIATIVE: Federal Wireless Communications	2	1	\$5,725

This increase seeks to address the following objective:

- 1) To lay the groundwork to establish a national wireless law enforcement and public safety network.

On April 20, 1994, the Attorney General and the Secretary of the Treasury signed a Memorandum of Understanding formally establishing the Federal Law Enforcement Wireless Users' Group (FLEWUG) in response to the National Performance Review's (NPR) Information Technology Initiative (IT) 04, "Establish a National Law Enforcement/Public Safety Network." The FLEWUG will oversee and direct the evolution to the national interoperable network. The use of a shared infrastructure will result in significant cost savings and cost avoidance by: 1) reducing costs through the use of off-the-shelf standard radio equipment and technologies; 2) benefiting from economies of scale through consolidated systems planning, development, installation, procurement and acquisition; 3) benefiting from economies of scope, since the cost of providing a wireless infrastructure for all Federal users should be lower than the cost of providing individual systems for each Federal entity; and 4) encouraging the introduction of more spectrally efficient technologies.

Two major changes regarding the use of radio spectrum are driving the move to consolidate and implement more efficient land mobile radio systems. First, Congress has mandated a reallocation of a portion of Federally used spectrum to the private sector. Second, the National Telecommunications and Information Administration (NTIA) has mandated that all new Federal radio systems installed after January 1, 1995, have the capability to operate in a channel half the current size, and requires the conversion of all systems to the narrower channel operations by 2005.

Only newer, more efficient digital systems will work within the narrower channel. The NTIA has given the Federal government until 2005 to replace all of its radio systems with advanced narrow-band technology. It is important to stress that the transition to this new technology is MANDATORY for the law enforcement community. Systems replacement on an agency-by-agency basis will result in enormous costs and problems with interoperability as well as costly redundancies.

The NPR IT04 provides the Federal government an unprecedented opportunity to categorically elevate the wireless communications capabilities of both the Federal and non-Federal law enforcement/public safety community. This initiative will foster the use of advanced, multi-mode, digital radio systems that improve the flow of information such as fingerprints, mug shots, criminal records, and other types of stored digital data. The envisioned system will also promote cross-agency coordination and cooperation and will enhance officer and special agent safety. The Federal government is not the sole beneficiary of this program, as our State and local counterparts are included in the planned and development of the nationwide wireless network.

This initiative requires a multi-year commitment of funds to accomplish the planning and testing stages and to prepare for full-scale implementation. Resources made available to the FBI (four technical positions and \$2,500,000) and the Department of the Treasury (\$3,500,000) in 1996 are being used to establish the FLEWUG Program Management Office (PMO). This office is a key element of the nationwide wireless network because it will provide oversight, review, and dedicated focus on the projects at hand. The PMO will conduct projects to develop a nationwide wireless network and support the interoperability, functional, management, technical, and spectral requirements. Beginning in 1996, work will proceed on two concurrent tracks. Efforts will continue on potential opportunities to improve the efficiency of existing systems. Within this timeframe, it is also anticipated that standards will be adopted for digital, narrowband land mobile radio systems. On a separate track, the PMO will undertake the necessary requirements and cost analyses needed to assess alternative courses of action and select a strategy for moving to more advanced and efficient technology.

For 1997, two additional technical support positions (one workyear) and \$5,725,000 are requested for the FBI's contribution to the FLEWUG. For 1997 and beyond, the FLEWUG will oversee all efforts in: analyzing alternative technical designs for a shared use network; performing cost/benefit analyses; evaluating standards-based technical solutions and assessing advanced multi-mode digital communications in test-bed environments; identifying acquisition strategies; and developing the intragovernmental and intergovernmental management structures to support future operations.

Although the initial impetus and funding comes from the Federal sector, a full partnership with State and local agencies is critical to the success of a nationwide wireless network. To this end, the PMO will pursue several courses to develop State and local partnerships and ensure their participation and cooperation as projects and goals are undertaken. The PMO will establish a forum for end user involvement in the PMO activities which, in turn, will inform the PMO of the actual wireless needs and requirements of the end users, and the capabilities and limitations of proposed technologies and solutions.

The PMO will work with academia, industry, Federal laboratories, and others who have extensive experience and expertise available to stimulate development and technology transfer from research they have performed. This cooperation will allow the PMO to exploit prototype applications developed as solutions to broadly defined wireless communications problems. The PMO will solicit novel, innovative ideas from industry, academia, and other interested groups. The PMO will pursue the use of this capability as specific issues arise and new problems are identified that require the generation of creative approaches, new technologies, and/or novel solutions.

As promising technologies are identified, the PMO will advance these technologies through proof of concept and prototyping. The PMO will study and analyze competing wireless technologies and technology implementations to evaluate their application in a nationwide wireless network. Studies will include a review of the available and expected wireless technologies, including access techniques (e.g., Frequency Division Multiple Access - FDMA, Time Division Multiple Access - TDMA, and Code Division Multiple Access - CDMA), available systems (e.g., wireless common carrier and private systems), priority, encryption, access response time, modes of operation, etc., to understand the applicability of various technologies to particular parts of the public safety communications problem.

The PMO will develop pilot and demonstration projects of advanced technology with State and local governments as many of the State and local public safety wireless communications agencies serve as proofs-of-concept of advanced wireless technology. These joint projects will facilitate information and resource sharing and will broaden the outreach of the PMO.

Short and long-term PMO projects will be affected by modifications in the availability, allocation, and use of the wireless spectrum. In addition, among the Federal, State, and local agencies, there are eight distinct frequency bands in use, which create significant interoperability challenges, even among different divisions/groups within the same organization. Furthermore, significant frequency congestion exists in all portions of the spectrum in use by public safety organizations. Although the NTIA mandate effectively doubles the number of radio frequencies available for assignment, frequency congestion problems will not be immediately resolved as many agencies will continue to use existing wideband systems (25 KHz channels) which are authorized to operate until January 1, 2005.

Furthermore, the allocation of radio frequency spectrum within the Federal, State, and local governments has not increased. As stated previously, Congress has mandated the transition of a portion of the spectrum currently reserved for Federal use to the commercial sector. Despite the use of eight different frequency bands by the public safety agencies, there is no study documentation to identify which frequency bands are optimum for use in the different public safety environments. In order to accurately address the spectrum issue, the PMO will analyze optimum spectrum usage in different environments.

NAME OF DECISION UNIT: TECHNICAL FIELD SUPPORT AND SERVICES									
PERFORMANCE INDICATOR INFORMATION		PERFORMANCE TARGETS AND ACTUAL RESULTS							
Type of Indicator	PERFORMANCE INDICATORS	1993 Actual	1994 Actual	1995 Actual	1996 Target	1996 Estimate	1997 Target		
Output	Program Management								
Activity	Develop a Program Management Plan			June 1995	May 1996	May 1996			
	Establish a Program Management Office				May 1996	May 1996			
	Establish Internet Technical Resource Center				June 1996	June 1996			
	Complete an Annual Status Report			June 1995			June 1997		
	Technology Objectives								
	Issue Request for Information			May 1995					
	Analyze RFI Responses				Oct 1995	Oct 1995			
	Complete Justice Capabilities/Requirements Analysis				March 1996	March 1996			
	Participate in APCO Project 25 Standards Development (Continuing)								
	Complete an Information Security System Analysis of APCO Project 25				July 1996	July 1996			
	Perform Case Studies						Nov 1996		
	Develop a Functional Requirements Document						Dec 1996		
	Develop Systems Designs Based on Project 25 Standards						Aug 1997		
	Develop Systems Designs Based on Alternative Technologies						Dec 1997		
	Develop Test Plans				Sept 1996	Sept 1996			
	Spectrum								
	Develop Propagation Modeling and Band Performance Characterization								
	Develop Optimum Frequency Band Selection Criteria and Migration Strategy				June 1996	June 1996			
	Partnerships				Sept 1996	Sept 1996			
	Involve End Users (Continuing)								
	Leverage Sources of Experience and Expertise (Continuing)								
	Seek Innovative Ideas (Continuing)								
	Exploit Targets of Opportunity (Continuing)								
	Develop Pilot/Demonstration Projects with State/Local Governments				Sept 1996	Sept 1996			
	Consolidation and/or Business Improvements								
	Analyze Current Procurement Methods								
	Evaluate Methods to Perform Cooperative Maintenance								
	Evaluate Methods for the Consolidation of Antenna Sites								
								Oct 1997	
								Mar 1997	
								Dec 1996	

**Federal Bureau of Investigation
Violent Crime Reduction Program
Justification of Program and Performance**
(Dollars in thousands)

Criminal Justice Services	Perm. Pos.	FTE	Amount
1996 Appropriation Anticipated
1997 Base
1997 Estimate	\$20,240
Increase/Decrease	20,240

LONG-TERM GOAL: To provide the local, State, and Federal criminal justice community the capability to immediately identify persons prohibited from receiving or possessing firearms under Federal or State law.

MAJOR OBJECTIVE: To bring on-line a National Instant Check System (NICS) by December 1, 1998, in order to comply with the mandate cited in the Brady Handgun Violence Prevention Act (P.L. 103-159).

BASE PROGRAM DESCRIPTION: President Clinton signed the Brady Handgun Violence Prevention Act (hereafter the Brady Act) on November 30, 1993. The interim provisions of this Act became effective on February 28, 1994. Following planning conferences with State and local officials in January and February 1994, a task group of law enforcement officials was formed. This group met with the FBI in April 1994, to develop a general implementation approach for the provisions of the Act. The proposed approach was presented to the Criminal Justice Information Services (CJIS) Advisory Policy Board in May 1994, for their review and recommendations. The Attorney General published a notice in June 1994, specifying how the NICS would generally operate by November 1998.

Specifically the FBI was tasked to: (1) gather information and develop proposals regarding the specific design of the NICS; (2) identify and collect data on persons prohibited from purchasing firearms for the Federal segment of NICS; (3) develop standardized policies and procedures for storing, retrieving and transmitting data contained in the NICS; (4)

propose guidelines for protecting the security and integrity of the system; and (5) adopt regulations and guidelines for safeguarding the privacy of individuals contained in the system.

To date, the FBI has received a total of \$16,000,000 through the Office of Justice Programs to provide interim Brady Act support and compliance. In 1994, \$10,000,000 was provided to upgrade existing computer capacity to handle the increased volume of Interstate Identification Index (IJI) inquiries resulting from Brady Act compliance. In 1995, \$6,000,000 was provided to support the development of the NICS functional requirements and to fund the required design specifications and required systems integration and engineering services to support the NICS effort.

Full compliance with the Brady Act's permanent provisions prohibits the transfer of firearms to unauthorized persons and requires the establishment of NICS by December 1, 1998. Disqualifying factors for firearms possession under the Brady Act are not limited to criminal history record information. According to Section 922 (d) of Title 18, it is unlawful to sell a firearm to anyone who is (1) under indictment or has been convicted of a felony with a sentence of at least one year; (2) a fugitive; (3) a user of or addicted to any controlled substances; (4) adjudicated as a mental defective or committed to any mental institution; (5) an alien who is illegally or unlawfully in the U.S.; (6) dishonorably discharged from the Armed Forces; (7) a citizen who has renounced citizenship; and (8) subject to a court order restraining such person from harassing, stalking, or threatening an intimate partner or child of such partner or person. Most existing law enforcement systems are limited to criminal history data (arrests, adjudications, confinements) and information on fugitives from justice. Existing FBI information systems neither contain data nor interface with systems containing data on substance abusers, persons with mental conditions, etc., unless these persons have been arrested and fingerprinted. Consequently, the FBI's interim Brady Act capabilities, which are limited to criminal history, must be expanded to comply with the Act's permanent provision requirements.

PROGRAM CHANGES:

INITIATIVE: Violent Crimes	Perm.		ETE	Amount
	Fed.	...		
National Instant Check System (NICS)	\$20,240

The FBI estimates a requirement for \$20,240,000 to support the development of a National Instant Check System (NICS). Section 103 (b) of the Brady Handgun Violence Prevention Act (Brady Act), P.L. 103-159, directs the Attorney General to establish within 60 months after enactment, "a national instant criminal background check system that any licensee may contact, by telephone or by other electronic means in addition to the telephone, for information, to be supplied immediately, on whether receipt of a firearm by a prospective transferee would violate Section 922 of Title 18, United States Code or State law." The workload requirements presently on contract for the National Crime

Information Center (NCIC) 2000 system and the relevant Integrated Automated Fingerprint Identification System (IAFIS) segments, Interstate Identification Index (III) and Identification Tasking and Networking (ITN), do not support the additional capacity imposed by the NICS. The majority of this request, approximately \$11,270,000, is required for computer software development. Additional computer hardware is also needed to support IAFIS and NCIC 2000 system to accommodate the increased NICS workload requirements. The developmental cost estimate is based on the establishment of as many as six new files containing a total of over 5,000,000 records to support the NICS. More than 500,000 weekly inquiries and maintenance transactions are projected. The interim provisions of the Brady Act provide for a five-day waiting period on handgun sales while the background check is made through State and Federal authorities. As mandated by the Brady Act, the NICS must supply such disqualifying information immediately. The permanent NICS provision "to be supplied immediately" was defined by members of the Brady Act Task Force to mean a 10-second or less response time to gun dealers' queries via telephone or electronic means to an authorized Federal, State or local law enforcement or criminal justice agency. The task force included representatives of the FBI, the Department of Justice, and other Federal, State and local agencies.

The following itemizes projected NICS costs:

Hardware/Software Requirements Projected Costs:		
Software Development		
III software development	(\$ files)	\$10,020,000
NCIC 2000 software development	(1 file)	1,250,000
Hardware		
Increased ITN communications hardware		1,000,000
Increased NCIC 2000 hardware		4,000,000
Increased III hardware		1,970,000
Total Hardware/Software Costs		\$18,240,000
Associated Support/Travel Requirements		
Contractor support services		1,200,000
Travel		800,000
Total NICS Costs		\$20,240,000

The associated funding is necessary to acquire contractor support services to provide training and to assist the FBI in coordinating the implementation of the NICS. Also, funding is required to support travel and technical assistance for the States. Travel and technical assistance for at least ten States is needed to get the States on-line with the NICS. These States fall into the category of being less advanced in computer capabilities which may delay their ability to participate in the NICS. Funding is also needed to support a national technical conference that would provide transition assistance necessary for State and Federal participants.

NAME OF INDICATOR, CHART, TARGET SERVICE		PERFORMANCE TARGETS AND ACTUAL RESULTS					
Type of Indicator	PERFORMANCE INDICATOR INFORMATION	1983 Actual	1984 Actual	1985 Actual	1986 Target	1986 Estimate	1987 Target
Input	1. Budget 2. Estimated Number of Requests 3. Received per unit		\$10,000,000	\$9,000,000	\$4,246,000	\$4,346,000	\$20,246,000
Output	3. Breakdown of Requests A. System Provision - Technical Support 1. Installed Mainframe Computer 2. Installed Mainframe Required for Direct & Near Line Data Acquisition 3. Award Contract Study for NCC Telecommunications Procedures 4. Operating System Software Upgrade 5. Support the Mainframe 6. Estimated Number of Requests Processed per month B. Personnel Provision 1. Determine NCC needs A. NCC Master Schedule (Using Decision 18) B. Determine NCC Staffing C. Identify and Collect Data on Personnel D. Recommended Breakdown of Personnel E. NCC Policy & Operational Guidelines F. NCC Security & Integrity Policy Guideline 2. Develop NCC Concept of Operations 3. Conduct NCC Staffing Requirement Study 4. Develop, Design, & Implement 5. System Integration & Test		73,830	64,000	11,000	80,000	80,000
End Outcome	4. NCC System is Operational						

A. Definitions of Terms or Explanations for field values

3. Breakdown of Requests - A line requiring detailed background of details on individuals before they are able to purchase from a federally licensed dealer

Federal Bureau of Investigation
Violent Crime Reduction Program
Financial Analysis - Program Charges
(Dollars in thousands)

Item	White-Collar Crime Increases		TFS & S Increases		Critical Justice Services Increases		Total	
	Pos.	Amount	Pos.	Amount	Pos.	Amount	Pos.	Amount
Grades								
GS-15
GS-14
GS-13	2	\$110	..	..	2	\$110
GS-12
GS-11
GS-9
GS-7
GS-5
Travel and annual rate
Leave (1)	2	110	..	..	2	110
Other personnel compensation	(1)	(53)	..	..	(1)	(53)
Total
Total workers and personnel								
Compensation	1	57	..	..	1	57
Personnel benefits	47	..	..	..	47
Travel and transportation of persons	1	..	600	..	1,301
Transportation of things
GSA rent	3	..	..	..	3
Rental payments to others
Comm, utility, and misc. charges	1	..	..	..	1
Printing and reproduction
Advisory and assistance service	1,200	..	1,200
Other services	2	..	11,270	..	11,272
Research and development contracts
Operational maintenance of equipment
Supplies and materials
Equipment	5,613	..	6,970	..	13,083
Land and structures
Total program workers and obligations	1,500	1	5,728	20,245	1	27,493
6787056 10545955 1997								

Federal Bureau of Investigation
Violent Crime Reduction Program
1987 Priority Ranking

BASE PROGRAM		PROGRAM INCREASES	
Program	Ranking	Program	Ranking
Technical Field Support and Services	1	Technical Field Support and Services	1
Forensic Services	2	Criminal Justice Services	2
Training, Recruitment, & Applicant	3	White - Collar Crime	3
Violent Crimes	4		

Federal Bureau of Investigation
Violent Crime Reduction Program
Detail of Permanent Positions by Category
Fiscal Years 1995 - 1997

Category	1995			1996				1997			
	Author- ized	Reim- bursable	President's Request	Transfers In*	Total		Transfers Out*	Program Increases	Total		
					Auth.	Reimb.			Auth.	Reimb.	
Criminal Investigative Series (1811) Fingerprint Identification (072) General Administrative and Clerical (300-399) Professional/Technical	127	127	...	(127)	...	...	...
	79	79	...	(79)	...	...	...
	4	167	171	...	(167)	2	6	...	
	
Total	4	373	377	...	(373)	2	6	...	
Washington U.S. Field Foreign Field	4	165	169	...	(165)	2	6	...	
	208	208	...	(208)	...	...	...
	
	
Total	4	373	377	...	(373)	2	6	...	

* A total of 373 positions are being transferred from Salaries and Expenses to the Violent Crime Reduction Program for one-year only. In the 1997 base, the same 373 positions will be transferred back to Salaries and Expenses.

Federal Bureau of Investigation
Violent Crime Reduction Program
Summary of Special Agents and Support Positions Workyears
FY 1996-1997

Accompanied Positions/Workyears

	1996 Appropriation				1997 Increase (Decrease)				1997 Request Level			
	Agent Pos.	Agent FTE	Support Pos.	Total FTE	Agent Pos.	Agent FTE	Support Pos.	Total FTE	Agent Pos.	Agent FTE	Support Pos.	Total FTE
Operation Unit	...	...	...	...	...	...	...	...	...	...	...	...
Organized Criminal Enterprises	...	...	...	...	...	...	...	...	...	...	...	...
White Collar Crime	118	118	60	208	208	208	...	...	...	...	...	...
Other Field Programs	...	...	...	...	...	...	...	...	...	...	...	...
Training, Recruitment and Applicant	9	9	156	165	165	165	...	...	...	...	...	...
Forensic Services	...	...	...	...	...	...	...	...	...	...	...	...
Information Management, Automation,	...	...	...	...	...	...	...	...	...	...	...	...
and Communications	...	...	...	...	...	...	...	...	...	...	...	...
Technical Field Support and Services	...	...	4	4	2	2	3	3	...	...	6	6
Criminal Justice Services	...	...	...	...	...	...	...	...	...	...	...	...
Management and Administration	...	...	...	...	...	...	...	...	...	...	...	...
Total	127	127	250	377	375	(127)	(244)	(371)	...	...	6	6

Federal Bureau of Investigation
Violent Crime Reduction Program
Summary of Change
(Dollars in thousands)

	Perm. Pos.	WY	Amount
	<u>377</u>	<u>375</u>	<u>\$218,300</u>
1996 Appropriation Anticipated			
Adjustments to base:			
Transfer to Salaries and Expenses Appropriation.....	-373	-373	-103,882
Increases:			
Annualization of 4 positions approved in 1986.....	...	2	95
Annualization of 1986 payraise.....	...	...	1
1987 pay increase.....	...	...	8
1987 general pricing level adjustments.....	...	...	1,438
Total, Increases.....	...	...	1,540
Decreases:			
Nonrecrual of NCIC Gang Terrorist File.....	...	...	-3,600
Nonrecrual of Laboratory Equipment .....	...	...	-3,900
Nonrecrual of Evidence Response Teams Nonpersonnel.....	...	...	-1,900
Nonrecrual of Hostage Rescue Team Barricade Database..	...	...	-1,000
Total, Decreases.....	...	...	-10,300
1997 Base.....	4	4	105,658
Program Changes.....	2	1	27,465
1997 Estimate.....	6	5	133,123

Federal Bureau of Investigation
 Department of Justice
 Violent Crime Reduction Program
 (Dollars in thousands)

	KI	Amount
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Transfers:

1. Transfer to the Salaries and Expenses Appropriation.	-373	-\$103,882
--	------	------------

In 1996, these resources were transferred from the Salaries and Expenses appropriation to the Violent Crime Reduction Program. In 1997, it is requested that these resources be transferred back to Salaries and Expenses.

Increases:

1. Annualization of 1996 pay raises......	...	1
<p>This pay annualization represents first quarter amounts (October through December) of the 1996 pay raises. The 1996 pay raises were 2.2 percent for the first quarter, 2.2 percent for the second quarter, 2.2 percent for the third quarter, and 2.2 percent for the fourth quarter. This request includes the appropriate personnel benefits and the additional amount required above the 2.2 percent originally requested for the three-quarters of the year. This request includes \$1,000 for pay.</p>		
2. 1997 pay increase......	...	0
<p>This request provides for the proposed 3.0 percent pay raise to be effective in January 1997 and is consistent with administration policy, included in the mid-session review revised economic package for fiscal year 1997. This request includes the appropriate personnel benefits for three-quarters of the fiscal year plus appropriate benefits. This request includes \$5,000 for pay.</p>		

Justification of Adjustments to Base (continued)
(Dollars in thousands)

	Approved 1996 Amounts Required	Annualization Required	NY 2	Amount \$ '95
4. Annualization of 4 positions approved in 1996.....				
This increase does not include any annualization costs associated with the transfer of \$1,219,000 from Salaries and Expenses into the Violent Crime Reduction Program in 1996.				
Personnel Compensation.....	31,476	18,201		
Personnel Benefits.....	1,420	1,582		
Travel.....	17,118	9,911		
Rent.....	12,778	4,001		
Communications/Utilities.....	7,692	2,377		
Other services.....	2,232	1,856		
Supplies/Materials.....	270,434	95,731		
Equipment.....	45,281			
Total cost subject to annualization.....				
5. General pricing level adjustment.....				
This request applies OMB pricing guidance as of June 11, 1995, to selected expense categories. The increased costs identified result from applying a factor of 2.9 percent against those subject classes where the prices that the Government pays are established through the market system instead of by law or regulation. Generally, the factor is applied to supplies, materials, equipment, contracts with the private sector, printing costs, transportation costs and utilities.				
Total, Increases.....			2	1,560

Justification of Adjustments to Base (continued)
(Dollars in thousands)

	<u>KY</u>	<u>Amount</u>
Decreases:		
1. Nonrecrual of 1986 Program Increases.....	...	\$-10,100
Nonrecrual costs include NCIC Gang Terrorist File (\$3,500,000), Laboratory Equipment (\$3,500,000), Evidence Response Team supplies and materials (\$1,900,000) and Hostage Rescue Team Barricade Database (\$1,000,000).		
Total, Decreases.....	---	-10,100
Total, Adjustments to Base.....	-371	-112,642

**Federal Bureau of Investigation
Violent Crime Reduction Program
Summary of Requirements by Grade and Object Class**
(Dollars in thousands)

	1995 Actual		1996 Anticipated		1997 Request		Increase/Decrease	
	Positions & Workyears	Amount	Positions & Workyears	Amount	Positions & Workyears	Amount	Positions & Workyears	Amount
Grades and Salary Ranges								
Executive Level II, \$133,600								
ES-6, \$118,245
ES-5, \$114,260
ES-4, \$109,661
ES-3, \$104,040
ES-2, \$99,543
ES-1, \$94,944
GS/GM-15, \$71,446-93,531
GS/GM-14, \$62,473-81,217
GS/GM-13, \$52,467-68,739
GS-12, \$44,458-57,800
GS-11, \$37,094-48,223	217	..	6	..	(281)	..
GS-10, \$31,762-43,888
GS-9, \$30,658-39,858
GS-8, \$27,596-36,088	90	..	..	..	(90)	..
GS-7, \$23,061-31,582
GS-6, \$22,554-29,320
GS-5, \$20,233-26,303
GS-4, \$18,085-23,515
GS-3, \$16,111-20,940
Ungraded positions
Locality Pay
1997 pay increase
Total, appropriated positions	377	\$18,640	6	\$277	..	..
Pay above stated annual rates
Lapses	(2)	(88)	(1)	(69)	1	39
Savings due to lower pay scales for part of year
Net full-time permanent	375	18,553	5	320	..	..
Other than full-time permanent
Per-time Permanent
Other personnel compensation
Overtime
Availability pay
Other compensation	32	2,068	..	..	..	..
Total, workyears and personnel compensation	407	20,621	5	236	..	..
Average ES Salary
Average GS/GM Salary
Average GS/GM Grade

Federal Bureau of Investigation
Violent Crime Reduction Program
Summary of Requirements by Grade and Object Class
(Dollars in thousands)

Object Class	1995 Actual		1998 Estimates		1997 Request		Increase/Decrease	
	WYS	Amount	WYS	Amount	WYS	Amount	Workyears	Amount
11.1 Full-time permanent.....	375	5	\$230	...	(370) (\$18,321)
11.3 Other than full-time permanent.....
11.5 Other personnel compensation.....	32	...	6	...	...
Total.....	407	2,068	5	236	(32)	(2,062)
Reimbursable Workyears				20,619			(402)	(20,383)
Full-time permanent.....
Other than permanent.....
12 Personnel benefits.....	4,922	...	98	...	(4,824)
13 Benefits to former personnel.....
21 Travel and transportation of persons.....	3,241	...	4,068	...	1,427
22 Transportation of things.....
23.1 GSA Rent.....	17	...	31	...	14
23.2 Rental payments to others.....	7,500	...	7,500	...	...
23.3 Communications, utilities, miscellaneous charges.....	13	...	18	...	5
24 Printing and reproduction.....
25.1 Advisory and assistance services.....	12	...	1,212	...	1,200
25.2 Other services.....	32,114	...	26,835	...	(5,179)
25.7 Operation and maintenance of equipment.....	616	...	523	...	8
26 Supplies and materials.....	3,853	...	3,884	...	31
31 Equipment.....	145,484	...	87,980	...	(57,514)
32 Land and structures.....	38	...	38
42 Insurance claims and indemnities.....
91 Unvouchered.....
Total obligations.....	407	218,300	5	133,123	(402)	(85,177)
Unobligated Balance, start of year.....
Unobligated Balance, end of year.....	218,300	...	133,123	...	...
Total requirements.....	218,300	...	133,123	...	...
Relation of Obligations to Outlays:								
Total Obligations.....	218,300	...	133,123	...	...
Obligated Balance, start of year.....	84,300	...	...
Obligated Balance, end of year.....	(84,300)	...	(84,300)	...	...
Outlays.....	164,000	...	132,587	...	...

Federal Bureau of Investigation
Violent Crime Reduction Program
Justification of Multi-Activity Program Changes
(Dollars in thousands)

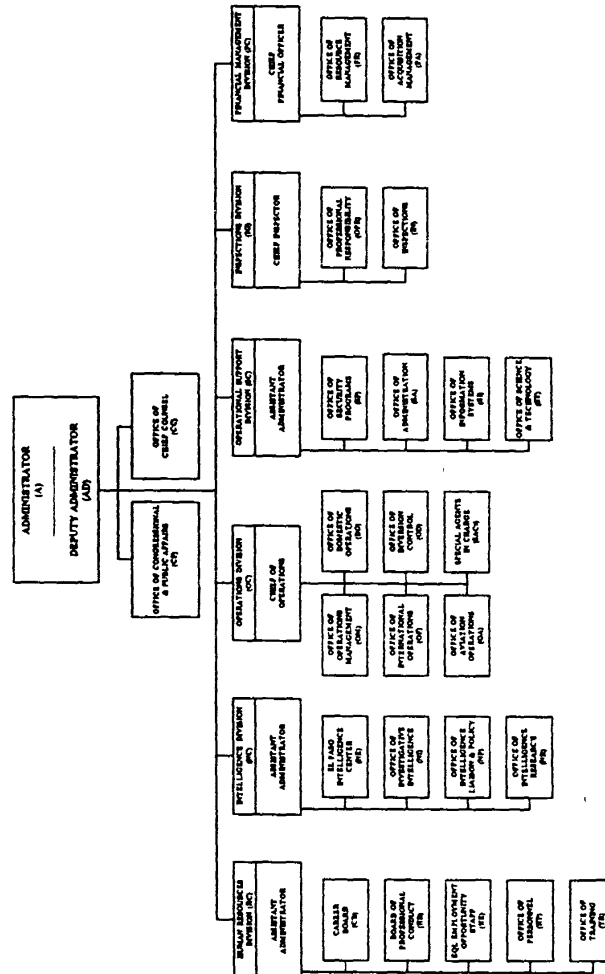
Budget Activity/Program	Technology Crimes Pos. WY Amount	Federal Wireless Pos. WY Amount	Violent Crimes Pos. WY Amount	Total Initiatives Pos. WY Amount
Organized Criminal Enterprises.....
White-Collar Crime.....	\$1,600	...	...	\$1,600
Other Field Programs.....
Training, Recruitment, and Applicant.....
Periatric Services.....
Information Management, Automation and Telecommunications.....
Technical Field Support and Services.....	...	2 1 \$5,725	...	2 1 \$5,725
Criminal Justice Services.....	\$20,240	20,240
Management and Administration.....
Total	1,600	2 1 \$5,725	20,240	2 1 27,465

Department of Justice
Drug Enforcement Administration
Salaries and Expenses
Estimates For Fiscal Year 1997

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Drug Enforcement Administration
Salaries and Expenses
Summary Statement

For 1997, the Drug Enforcement Administration (DEA) requests 8,080 positions (2,305 Special Agents), 4,916 FTE, and \$818,038,000 in the Salaries and Expenses appropriation, which includes program increases of 124 positions, (96 Special Agents), 82 FTE, and \$82,588,000. DEA is also requesting 941 positions (728 Special Agents), 890 FTE, and \$138,000,000 through the Violent Crime Reduction Program (VCRP) appropriation. DEA's request under the VCRP reflects the transfer of the State and Local Task Force Decision Unit from the Salaries and Expenses appropriation, plus program enhancements of 93 positions (80 Special Agents), 46 FTE, and \$19,615,000. The third component of the DEA direct appropriations request is 598 positions (12 Special Agents), 594 FTE, and \$52,824,000 through the Diversion Control Fee Account. This includes program enhancements totaling 3 positions, 2 FTE, and \$4,328,000.

In addition to its direct appropriations, DEA is requesting the following: 1,000 positions, (779 Special Agents), 987 FTE, and \$96,943,000, as part of the 1997 Interagency Crime and Drug Enforcement (ICDE) consolidated budget; 21 positions (16 Special Agents) and 18 FTE from the Department of State; 20 positions (8 Special Agents) and 20 FTE from the National Drug Intelligence Center (NDIC); and 3 positions and 3 FTE from the Department of Justice. For 1997, DEA's funding from all sources totals 7,633 positions, (3,848 Special Agents), 7,428 FTE, and \$1,105,806,000.

The next few years are critical, for DEA faces major challenges from sophisticated international drug mafias. While federal law enforcement seeks to bring modern technology, and a re-energized and expanded agent force to bear on organized criminal enterprises, these violent organizations seek to solidify their position both domestically and internationally. Despite the challenge, federal law enforcement agencies around the world have made significant strides against these well-financed and increasingly sophisticated international drug mafias. This budget seeks resources to build on past successes, keep pace with changing technology, repair and replace old, obsolete, or worn out law enforcement tools, and aggressively expand investigations and intelligence into the traffickers' front yard.

The United States is facing a number of drug threats from both international and domestic drug organizations which are violent, well-financed, and well-organized. With the recent arrest of six of the seven top Cali mafia leaders, it is likely that powerful polydrug trafficking organizations from Mexico, known as the Mexican Federation, will play an even greater role in the global drug trafficking scene during the coming years. During the late 1980's and early 1990's, Colombian drug mafias used transporters from Mexico to bring multi-ton loads of cocaine into the United States. Having established their own trafficking routes, and using the expertise garnered from years of marijuana, heroin, and cocaine trafficking, Mexican

trafficking groups have presently emerged as the leading producers and traffickers of methamphetamine. The methamphetamine trade provides the Mexican traffickers with a level of self-sufficiency that cocaine trade did not, and allows them to completely control the methamphetamine business from beginning to end.

Traditionally confined to California, and controlled for years by outlaw biker gangs, methamphetamine production and trafficking have spread to many parts of the United States, including the Southwest, the Midwest, and the Southeast regions of the nation. Methamphetamine abuse has increased dramatically in Phoenix, San Diego, and San Francisco, and is currently the number one substance abuse problem in many cities. States once immune from serious drug problems, such as Iowa, are now facing a methamphetamine crisis. And methamphetamine traffickers are exceedingly violent, responsible for over a score of homicides in San Diego and other violent episodes across the United States.

In order to eradicate the unprecedented level of violence and drug trafficking along the Southwest Border of the United States, DEA, the FBI, the U.S. Attorneys, the Criminal Division, and other federal, state, and local law enforcement agencies have joined together in the Southwest Border Project the most comprehensive attack to date on drug trafficking along the border between Mexico and the United States. A true partnership has been forged among the federal law enforcement agencies, and state and local law enforcement to target drug trafficking on both sides of the border. DEA, INS, and the FBI are committed to the Southwest Border Initiative as the Department of Justice's top joint law enforcement priority during the coming years.

Drug trafficking and drug abuse do not remain constant or predictable. Just as traffickers adjust their methods of operation to take advantage of technology and avoid apprehension by changing their tactics, they also diversify their product lines and constantly seek to open new markets for new drugs of abuse. Recent changes in worldwide trafficking patterns are especially troubling. For the first time, DEA domestic seizures show that South American heroin represents about one-third of the seizures made in the United States during 1994. The potential involvement of organized and well-established South American cocaine trafficking groups in the heroin trafficking business is a major concern to the United States.

Federal law enforcement is aware of the volatile nature of the drug trade and recognizes the need to anticipate shifts in drug trafficking which can occur almost overnight. Federal law enforcement also recognizes the fact that frequently drug traffickers are as well-equipped--often better equipped than--agencies responsible for dismantling their organizations.

DEA's 1997 Request For Enhancements

To counter the growing sophistication of the drug mafias and address the growing complexity of a changing illicit drug market, DEA is requesting 126 positions and \$87.6 million for five strategic initiatives.

Southwest Border Project - 121 Positions (84 SA's), \$24.9 million:

The curtailment of drug trafficking through the Southwest Border of the United States is the highest priority for DEA and other federal law enforcement agencies. The Southwest Border Project is a coalition of law enforcement agencies that will seek to stem the flow of multi-ton quantities of illegal narcotics moving across our 2,000 mile common border with Mexico, counter the insidious corruption existing in communities on both sides of the border where Mexican mafia organizations rule through violence and intimidation, and its elements and destroy those organizations that would erode our nation's rule of law, destroy the lives of our youth, and impact crime and violence to our urban and rural neighborhoods.

To combat the illegal drug trade along the Southwest Border, DEA is requesting additional resources in three areas:

1. In a cooperative effort with the FBI, \$10,000,000 is requested for contract linguist support to penetrate the command, control, and communications of the Mexican trafficking groups through the extensive use of Title III wire intercepts. The Mexican mafia, its Colombian mentors, relies extensively upon communications to conduct their business. DEA must be able to penetrate the command, control, and communications of these Mexican organizations that are responsible for importing Colombian cocaine and heroin, Mexican heroin and marijuana, methamphetamine, and possibly Asian heroin across the border.
2. A total of 14 positions and \$4,312,000 is requested in support of a classified intelligence research project which uses state-of-the-art equipment to glean intelligence from various data sources. The enhancement would fund maintenance and continue development costs. This project has been a joint venture with the FBI and the Criminal Division of the Department of Justice.
3. A total of 107 positions and \$10,928,000 is requested to make the cases resulting from the intensive Title III intercept activity and focus on methamphetamine activity along the Southwest Border. The amount of information anticipated far exceeds the capacity of current DEA resources along the Southwest Border. Without additional investigative resources, the Southwest Border intercept program will be far less effective and organized trafficking groups will become more entrenched. Additional investigative resources are also needed to target major methamphetamine traffickers and producers who operate both in Mexico and the United States.

Replacement Bases - \$25.7 million:

Drug traffickers are increasingly gaining the upper hand over law enforcement personnel because they have virtually unlimited funds to procure advanced technology and equipment. DEA requests \$3,874,000, which is necessary to modernize its technical investigative equipment base and expand current capabilities in the areas of optics and audio recordings. Without these resources, DEA will continue to lag behind drug traffickers in the use of high tech equipment, thereby hampering investigations.

By 1997, the majority of DEA's fixed wing aircraft and helicopters will be uneconomical to operate because of the age of the aircraft. Currently, DEA has no replacement base for aircraft and is, therefore, requesting \$2,000,000 to restore an aircraft replacement base. It is critical that DEA replace aging aircraft in order to ensure a safe and efficient fleet capable of meeting changing mission demands.

For ADP equipment maintenance and replacement, DEA is requesting \$4,870,000. Of this amount, \$2,100,000 will be used for an equipment maintenance base to support DEA's capital investment in FIREBIRD/MERLIN automation equipment, and \$2,670,000 will be used to establish an equipment base to replace obsolete or damaged equipment and purchase mission-critical ADP equipment. These funds are essential if DEA is to properly manage and maintain critical ADP applications for investigations and support activities.

Finally, an additional \$15,125,000 is requested to establish an adequate level of base program funding for DEA's Permanent Change of Station (PCS) program. This level of funding is critical to ensure Special Agent safety and integrity, as well as promoting the development of the agency's overall career development goals. The extremely volatile nature of DEA investigations pose unique concerns for the safety of DEA Special Agents. Agents who are stationed at the same location for long periods of time risk not only their health and welfare, but also that of other case Agents. Special Agent mobility also supports the assurance of integrity for ongoing cases which can be compromised if Special Agents are not routinely reassigned to other posts of duty. Without funding for these important support programs, DEA's enforcement capability will continue to be eroded.

Heroin Strategy - 3 Positions (2 SAs), \$0.6 million:

South Africa has become a significant cocaine and heroin transshipment point for drugs bound to the United States and Europe from Southeast Asia. Limited investigative resources on the African continent have made it extremely difficult for DEA to effectively respond to this growing threat. Through the opening of a Country Office in Pretoria, South Africa, DEA will establish another vital link in its chain of overseas offices to address the growing threat of international heroin and cocaine trafficking.

Communications Program - \$12.0 million:

DEA requests \$9,000,000 to purchase wireless radio equipment for its domestic offices. This request responds to the National Telecommunications and Information Administration (NTIA) at the Department of Commerce, which has mandated that beginning in 1995 all existing Federal Government communication equipment must be converted to a new, narrow band technology to maximize frequencies. This conversion is to be completed by the year 2008 at which time the current frequencies will be unavailable. The additional funding would enable DEA to replace existing equipment in an orderly fashion as it nears the end of its life cycle without compromising the operations of DEA. Additional funding would also enable DEA to establish a ten year replacement cycle.

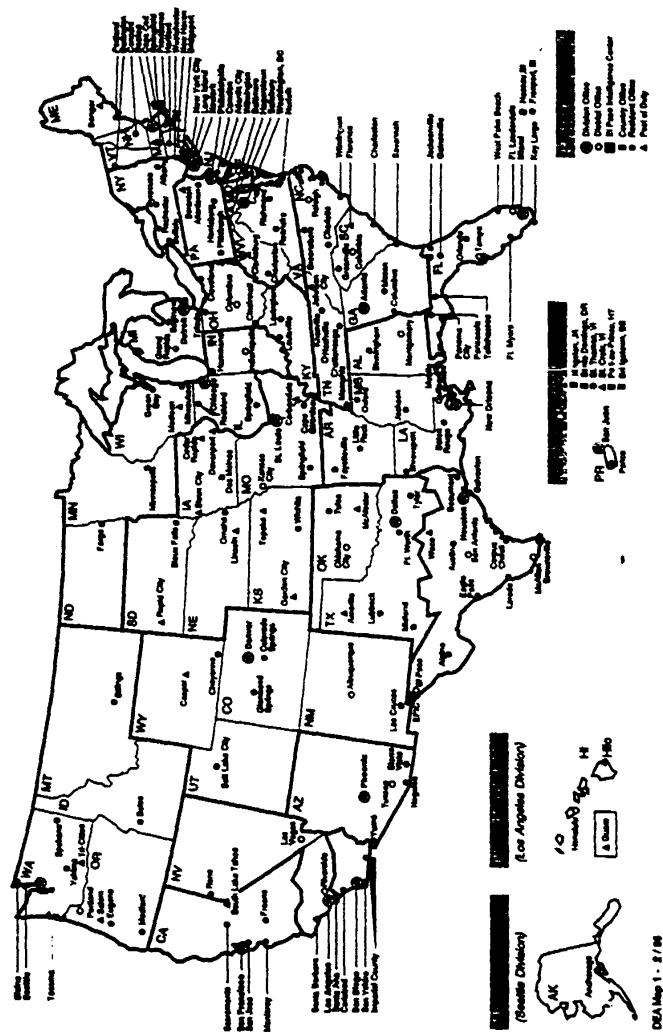
Communications intercepts have become one of law enforcement's most effective investigative weapons against drug traffickers. An additional \$3,000,000 will enable DEA to procure new digital intercept equipment to convert two division offices to the new technology. Without this capability, DEA will not be as effective at penetrating the command and control structures of major drug trafficking organizations which have a direct impact on the quality of life in American communities.

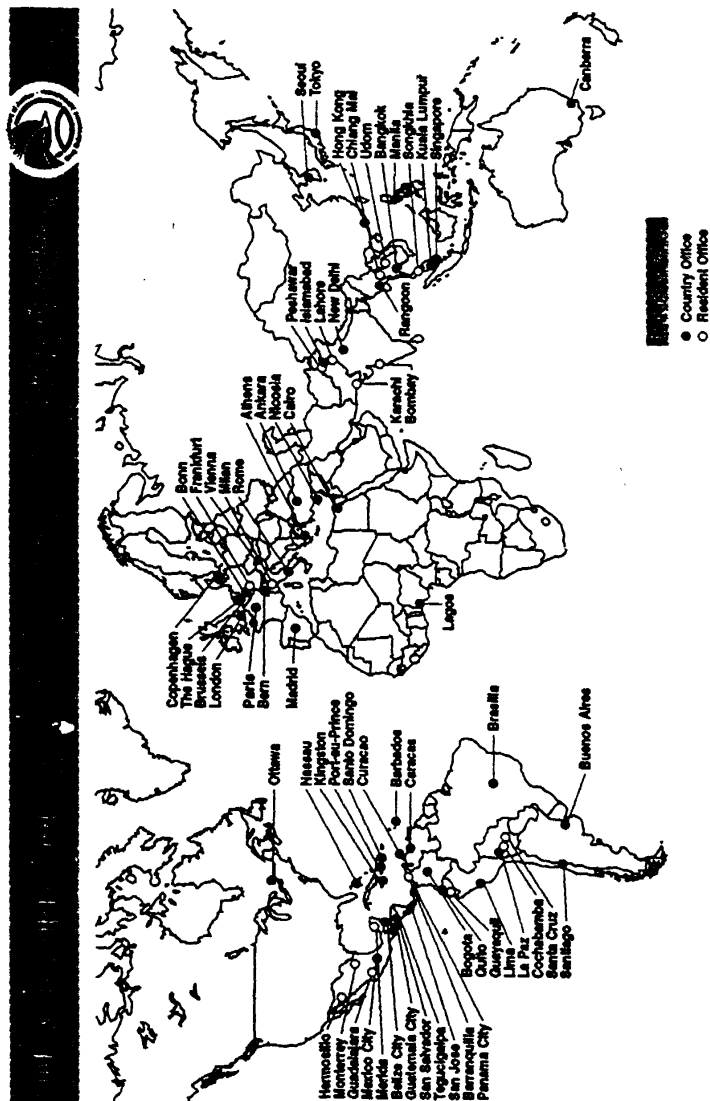
ADP Systems - \$19.4 million:

DEA's mission is dependent upon gathering and manipulating information critical to the pursuit of drug investigations. The requirement to analyze and share this information with other law enforcement agencies has created an urgent need for advanced information systems. DEA requests these resources to implement its FIREBIRD and MERLIN Projects.

Volumes of enforcement and intelligence information are contained in DEA's investigative reports and other documents that cannot be effectively accessed manually. FIREBIRD is an ADP system which will bring together information from a variety of sources and give Special Agents and intelligence analysts the ability to quickly analyze this information, saving thousands of research hours and increasing the analytical ability by linking what appear to be unrelated facts or observations. DEA requests \$16,000,000 for Phase II of the FIREBIRD Project which will provide Special Agents with the automated tools needed to effectively communicate with other law enforcement agencies, streamline burdensome report writing, and provide access to multi-agency law enforcement data bases. FIREBIRD's case management system will significantly improve the efficiency of Agent investigations and will allow for the replacement of an archaic manual reporting system.

DEA requests \$4,425,000 for Project MERLIN which will provide critical intelligence information in support of investigations in a manner that is faster, more current, and more complete than is currently possible. MERLIN facilitates intelligence analysts in developing intelligence products, which in turn enhance the analysts' ability to provide vital information to enforcement operations. The intelligence analysts in the field will be able to devote more time to analytical tasks at their MERLIN work station while the software applications perform the routine tasks of data retrieval, cataloging, and initial processing.





DEA Map 2 (Revised 6/95)

DRUG ENFORCEMENT ADMINISTRATION
 Salaries and Expenses
 Justification of Proposed Changes in Appropriation Language

The 1987 budget estimates includes proposed changes in the appropriation language listed and explained below. New language is underscored.

Salaries and Expenses

For necessary expenses of the Drug Enforcement Administration, including not to exceed \$70,000 to meet unforeseen emergencies of a confidential character, to be expended under the direction of, and to be accounted for solely under the certificate of the Attorney General; purchase of not to exceed 3,158 passenger motor vehicles, of which 1,032 will be for replacement only, for police type use without regard to the general purchase price limitation for the current fiscal year; and acquisition, lease, maintenance, and operation of aircraft: \$818,038,000, of which not to exceed (1) \$1,800,000 for research and (2) \$15,000,000 for transfer to the Drug Diversion Control Fee Account for operating expenses shall remain available until expended; of which not to exceed (1) \$4,000,000 for purchase of evidence and payments for information; (2) \$8,000,000 for contracting for automated data processing and telecommunications equipment; (3) \$2,000,000 for laboratory equipment; (4) \$4,000,000 for technical equipment; and (5) \$2,000,000 for aircraft replacement, retrofit, and parts, shall remain available until September 30, 1989, and of which not to exceed \$50,000 shall be available for official reception and representation expenses.

Note--A regular 1986 appropriation for this account had not been enacted at the time this budget was prepared. The 1990 amounts included in this budget are based on the levels provided in three continuing resolutions: P.L. 104-91, P.L. 104-92, and P.L. 104-98.

**Drug Enforcement Administration
Salaries and Expenses
Crosswalk of 1998 Changes
(Dollars in thousands)**

Activity/Program	1998 President's Budget Request			Congressional Appropriation Act as Amended			PTE Appropriation			Transfers			Appropriation as Amended			1998 Appropriation as Amended		
	Yrs.	FY98	FY99	Yrs.	FY98	FY99	Yrs.	FY98	FY99	Yrs.	FY98	FY99	Yrs.	FY98	FY99	Yrs.	FY98	FY99
1 Administration of Federal Laws and Investigations																		
Domestic Enforcement	2,644	2,116	2,521,740		(129)	(254,119)		(109)						(94)	(94)		1,600	1,770
Foreign Cooperative Investigations	600	600	114,830			(600)		(100)						(7)	(7)		641	639
Drug and Chemical Research	600	600	11,100											(7)	(7)		641	639
Drug and Chemical Control	300	300	24,100											(7)	(7)		641	639
Drug and Chemical Control	300	300	24,100											(7)	(7)		641	639
Subtotal	3,242	3,216	484,870		(129)	(254,119)		(109)						(94)	(94)		3,200	3,200
2 Investigation Support																		
Investigative Support	640	600	53,227		(10)	(1,000)								(9)	(9)		644	600
Laboratory Services	521	510	22,070		(7)	(2,200)								(6)	(6)		510	510
Training	110	117	9,772											(6)	(6)		110	110
Research, Engineering, and Technical Operations	400	400	11,000			(1,000)								(10)	(10)		400	400
ADP	100	100	21,137			(21,137)								(10)	(10)		100	100
Subtotal	1,871	1,827	117,106		(27)	(13,337)								(29)	(29)		1,800	1,800
3 Program Director																		
Program Director	210	210	21,000			(21,000)											210	210
Subtotal	210	210	21,000			(21,000)											210	210
TOTAL	5,081	5,043	706,706		(156)	(272,156)		(109)						(133)	(133)		5,371	5,342

1/ Congressionally appropriated. Subject to Congressional Committee action on 1998 Request. This action included a reduction of \$40 million in requested unobligated funds from the Salaries and Expenses Appropriation to the Violent Crime Reduction Program.

2/ PTE Adjustments. As a result of the delayed enactment of the 1998 appropriations, the Treasury Department, the Internal Revenue Service, and the Social Security Administration have been unable to submit their 1998 budget requests. As a result, the 1998 budget for these agencies is being estimated. The 1998 budget for these agencies is being estimated based on the 1997 budget and the 1998 appropriations. The 1998 budget for these agencies is being estimated based on the 1997 budget and the 1998 appropriations.

3/ The 1998 budget for these agencies is being estimated based on the 1997 budget and the 1998 appropriations. The 1998 budget for these agencies is being estimated based on the 1997 budget and the 1998 appropriations.

4/ The 1998 budget for these agencies is being estimated based on the 1997 budget and the 1998 appropriations. The 1998 budget for these agencies is being estimated based on the 1997 budget and the 1998 appropriations.

Drug Enforcement Administration
Salaries and Expenses
Summary of Requirements
 (Dollars in thousands)

	1987 Estimate			1988 Estimate			1989 Estimate			Increase/Decrease		
	Perm.	FTE	Amount	Perm.	FTE	Amount	Perm.	FTE	Amount	Perm.	FTE	Amount
Adjustments to Base:												
1988 Conference Allowance	5,571	8,483	\$745,888									
Adjustments in FTE		(159)										
Transfer to Drug Diversion Control Fee Account												
1988 Appropriation Anticipated	5,571	8,343	730,688									
Transfer to and from other accounts:												
Drug Diversion Control Fee Account: Reverse annual transfer												
State and Local Task Forces to Violent Crime Reduction Program	(726)	(724)	(81,051)									
Base Resources from Violent Crime Reduction Program	63	68	32,944									
Mail Management Redistribution												
Increases (automatic, non-policy)												
1987 Base	4,878	4,887	738,683									
Program Changes												
1987 Estimate	124	82	82,586									
	5,000	4,748	818,088									
Estimates by Budget Activity												
1. Enforcement	3,302	3,088	\$424,888	2,857	2,578	\$403,408	2,787	2,631	\$404,963	110	95	\$21,157
2. Investigative support	1,968	1,959	238,415	1,598	1,580	282,487	1,590	1,587	308,789	14	7	46,302
3. Program direction	203	868	87,254	203	868	88,580	203	868	84,886			
Total	5,571	8,343	730,688	4,658	4,864	735,463	5,000	4,916	818,088	124	82	82,586

Due to changes made after preparation of the President's Budget Appendix, the FTE total differs on this exhibit and all following exhibits by 32 FTE.

Drug Enforcement Administration
Salaries and Expenses
Summary of Resources by Program
(Dollars in thousands)

[illegible]

My Methods transfer of \$15 million to the Drug Diversion Control Fee Account

Drug Enforcement Administration
Reimbursable Resources
Summary of Requirements
(Dollars in thousands)

Collections by Source	1995 Actual			1996 Estimate			1997 Request			Increase/Decrease		
	Pos.	FTE	Amount	Pos.	FTE	Amount	Pos.	FTE	Amount	Pos.	FTE	Amount
Organized Crime Drug Enforcement...	975	962	\$93,627	975	962	\$91,872	975	962	\$94,719	...	...	\$2,847
Regional Drug Intelligence Squads...	25	25	2,193	25	25	2,155	25	25	2,224	...	...	69
Assets Forfeiture Fund	...	...	68,410	...	...	50,995	...	...	60,995	...	...	(1,049)
Department of Treasury	...	...	82	...	...	1,845	...	...	87	...	...	...
Office of National Drug Control Policy	...	...	393	...	...	195	...	...	195	...	...	...
Department of State	20	17	3,283	21	18	2,671	21	18	2,671	...	...	...
Department of Justice	2	3	11,244	3	3	32,418	3	3	32,418	...	...	...
National Drug Intelligence Center	13	20	1,713	20	20	1,959	20	20	1,959	...	...	...
Department of Defense	...	...	441	...	...	1,987	...	...	1,987	...	...	...
Department of Transportation	...	...	16	...	...	64	...	...	64	...	...	...
Misc. Government	...	...	...	...	...	1,142	...	...	1,142	...	...	...
Misc. Non-Government	...	...	3,909	...	...	1,950	...	...	1,950	...	...	...
Budgetary Resources	1,035	1,027	185,311	1,044	1,028	185,148	1,044	1,028	189,216	...	...	1,068
Obligations by Program:												
Enforcement	975	967	131,029	975	962	144,898	975	962	147,745	...	...	2,847
Investigative Support	80	80	29,395	80	80	42,978	80	80	41,199	...	...	(1,779)
Program Direction	...	...	24,887	...	...	272	...	...	272	...	...	...
Total	1,035	1,027	185,311	1,044	1,028	185,148	1,044	1,028	189,216	...	...	1,068

Drug Enforcement Administration
Salaries and Expenses
Program Performance Information
Government Performance and Results Act Requirements

Mission: The Drug Enforcement Administration serves as our nation's lead agency in combating illicit drugs and related activities.

Organizational Goals:

1. Reduce the availability of illicit drugs.
2. Disrupt and dismantle drug trafficking organizations.
3. Prevent legitimately produced controlled substances and listed chemicals from being diverted into illicit channels.
4. Develop and disseminate intelligence information for use by DEA and other law enforcement agencies in support of high priority investigations.
5. Combat drug-related violent crime in conjunction with state and local task forces. [This goal is addressed in the Violent Crime Reduction Program Budget].

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Drug Enforcement Administration
Salaries and Expenses
Justification of Program and Performance
(Dollars in Thousands)

ACTIVITY: ENFORCEMENT

	Perm. Pos.	FTE	Amount
Domestic Enforcement			
1986 Appropriation Anticipated	1,950	1,776	\$216,754
1987 Base	2,033	1,984	261,746
1987 Estimate	2,110	2,022	279,872
Increase/Decrease	77	38	18,131

LONG-RANGE GOAL: Reduce the domestic supply of illicit drugs and permanently disrupt or eliminate the organizations trafficking these drugs.

BASE PROGRAM DESCRIPTION: The Domestic Enforcement Program includes the investigative operations of DEA's 21 field divisions and the operational coordination functions located at DEA Headquarters. The program employs the bulk of DEA's Special Agent work force and uses a variety of sophisticated investigative tools, including electronic surveillance, informants, and undercover operations.

Domestic enforcement investigations are at the heart of DEA's mission. They rely on information obtained from informants, internal intelligence sources, as well as the input of other federal, state, and local law enforcement organizations. The program's financial investigations identify and trace assets subject to seizure and forfeiture which leads to the destruction of the economic bases supporting drug trafficking enterprises.

The Domestic Enforcement Program also includes DEA's Special Enforcement Programs (SEPs), Title III intercept operations, and the Domestic Cannabis Eradication/Suppression Program.

	Perm. Pos.	FTE	Amount
Foreign Cooperative Investigations			
1996 Appropriation Anticipated	561	529	\$114,222
1997 Base	561	529	119,993
1997 Estimate	564	531	120,825
Increase/Decrease	3	2	832

LONG RANGE GOAL: To destroy drug trafficking organizations by cooperating with and assisting those nations that demonstrate a commitment to fight international narcotics syndicates, thereby reducing the amount of illicit drugs available in the United States.

BASE PROGRAM DESCRIPTION: DEA's overseas efforts are directed toward advising, assisting, and encouraging foreign governments in the development of strategies to reduce the trade and supply of illicit drugs within their countries. DEA also works with foreign governments on the investigation of high-level international trafficking organizations which have a direct impact on the United States crime problem. In pursuing these aims, DEA coordinates drug intelligence collection and drug investigations (including chemical diversion and drug money laundering activities) with foreign law enforcement agencies, and participates in bilateral and multilateral drug suppression programs.

DEA's Foreign Cooperative Investigations Program (FCIP) now includes resources for foreign Special Enforcement Operations/Programs (SEOP), including OPBAT and the Northern Border Response Force (NBRF).

	Perm. Pos.	FTE	Amount
Drug and Chemical Diversion Control			
1996 Appropriation Anticipated	63	63	\$ 6,461 ^{1/}
1997 Base	63	63	21,667 ^{2/}
1997 Estimate	63	78	24,081
Increase/Decrease	30	15	2,394

^{1/} Reflects transfer of \$15,000,000 to the Drug Diversion Control Fee Account.

^{2/} Includes \$15,000,000 which will be transferred in accordance with the 1997 appropriations language.

LONG RANGE GOAL: To prevent legitimately produced controlled substances and listed chemicals from being diverted into illicit channels.

BASE PROGRAM DESCRIPTION: The Drug and Chemical Diversion Control program directs DEA's worldwide drug and chemical diversion control activities to include diversion investigations, domestic and international diversion control, registration, voluntary compliance, state assistance, industry liaison and associated support programs.

The Diversion Control Program is principally responsible for: 1) analyzing past data from diversion control activities to help develop work plans and priority objectives for current operations; 2) reviewing the effectiveness of DEA worldwide and individual field office drug and chemical diversion control activities to ensure they are responsive to, and/or consistent with the drug and chemical diversion control mission of DEA; 3) representing, among other federal agencies, the United States drug enforcement position at national and international forums that address the control of legitimate drugs, and at other diplomatic initiatives designed to ensure appropriate drug and chemical diversion controls; and 4) formulating additional legislation and regulations to curtail the diversion of controlled substances and listed chemicals from legitimate channels.

Of the \$21,667,000 in the 1997 base, \$15,000,000 is fee related will be transferred to the Drug Diversion Control Fee Account (DDCFA) in accordance with appropriation language. Subsequent to the annual transfer of the \$15,000,000 from this decision unit to the DDCFA, all funding for the Drug Diversion Control Program will be contained in the DDCFA.

Drug Diversion Investigations:

Criminal Drug Diversion Investigations: It is estimated that 12,000 medical practitioners are involved in the diversion of legal drugs. DEA identifies those medical professionals responsible for the highest level of diversion and investigates their criminal activities.

CSA Mandated Cycle Investigations: These investigations examine drug diversion at and between the manufacturer, distributor and wholesale levels in the distribution chain. This focus differs from other investigations that examine only one aspect of the diversion process. This focus is needed in situations where diversion is being conducted on a large scale level.

Practitioner Investigations: Pre-registrant investigations ensure that only qualified individuals or companies are authorized to acquire or dispense controlled substances.

State and Local Assistance: DEA assesses state programs that aim to suppress the diversion of controlled substances from scientific, medical research and legitimate distribution channels. In addition, the State and Local Assistance Program provides expertise, leadership, and guidance to the states consistent with national objectives.

International Drug Control: United States law and international treaty obligations provide the guidelines for DEA management on all matters pertaining to the formulation, direction, and coordination of worldwide programs associated with the diversion of legally produced controlled substances.

Chemical Diversion Investigations:

Criminal Chemical Diversion Investigations: DEA, under the auspices of the Chemical Diversion and Trafficking Act, conducts criminal investigations of firms suspected to be involved in the diversion of listed chemicals.

Import/Export Investigations: DEA receives and determines the legitimacy of all import/export declarations of listed chemicals. DEA's authority in these matters includes stopping chemical shipments, and rejecting the applications of chemical companies for "regular customer" status.

Pre-registrant Investigations: Pre-registrant investigations ensure that only qualified individuals or companies are authorized to acquire or distribute List I chemicals.

State and Local Assistance: The State and Local Assistance Program provides expertise, leadership, and guidance to the states consistent with national objectives.

International Chemical Control: United States law and international treaty obligations provide the guidelines for DEA management on all matters pertaining to the formulation, direction, and coordination of worldwide programs associated with the diversion of listed chemicals.

	Perm. Pos.	EIE	Amount
State and Local Task Forces //			
1986 Appropriation Anticipated	728	720	\$87,562
1987 Base	..	..	..
1987 Estimate	..	..	..
Increase/Decrease	..	..	..

// Resources For State and Local Task Forces Are Justified In The Violent Crime Reduction Program Budget

ACTIVITY: INVESTIGATIVE SUPPORT

	Perm. Pos.	FTE	Amount
Intelligence			
1986 Appropriation Anticipated	844	850	860,779
1987 Base	844	864	84,489
1987 Estimate	858	871	88,802
Increase/Decrease	14	7	4,333

LONG RANGE GOAL: To identify, develop, and exploit information and intelligence necessary to enhance the effectiveness of drug law enforcement.

BASE PROGRAM DESCRIPTION: DEA's Intelligence Program is comprised of four components: 1) financial; 2) operational; 3) strategic intelligence; and 4) the El Paso Intelligence Center (EPIC). The Intelligence Program also provides leadership in the National Drug Intelligence Center (NDIC).

Financial Intelligence: This program focuses on fiscal aspects of the drug trade by identifying the development of financial conspiracy.

Operational Intelligence: This program gathers, organizes, and analyzes information available to DEA in direct support of active drug investigations.

Strategic Intelligence: This program produces comprehensive assessments and reports of drug trafficking patterns, availability levels, and consumption rates and averages. This program also develops long-range supply reduction plans.

El Paso Intelligence Center: EPIC is a multi-agency facility providing the law enforcement community with all-source tactical intelligence pertaining to the interdiction of drugs, weapons, and aliens. EPIC provides support for drug law enforcement and interdiction operations, and is accessible 24-hours-a-day, seven-days-a-week.

National Drug Intelligence Center: NDIC is a multi-agency facility that brings together the collective analytical capabilities of all DOJ agencies to produce comprehensive analyses of drug trafficking and trafficking organizations. DEA serves as the deputy director of NDIC and also provides a share of the intelligence analyst support.

Laboratory Services	Perm. Est.	FTE	Amount
1986 Appropriation Anticipated	321	312	\$30,535
1987 Base	321	319	34,504
1987 Estimate	321	319	34,504
Increase/Decrease	...	...	...

LONG RANGE GOAL: To provide the required laboratory support necessary to maximize enforcement, intelligence, and diversion control activities.

BASE PROGRAM DESCRIPTION: This program provides laboratory support services for the enforcement, intelligence, and diversion control activities of DEA.

Enforcement activities are supported through the timely analysis of drug evidence and the presentation of forensic expert testimony in court; by providing field assistance to Special Agents on clandestine laboratory investigations; by conducting crime scene searches for trace drug evidence; and by performing toolmark and signature analyses on evidence linked to suspected conspiracy cases.

Intelligence activities are supported through laboratory analysis that shows the origin of controlled substances and highlights foreign drug distribution patterns. Intelligence investigations are also aided through the signature analyses of the Domestic Monitor Program, which help monitor domestic drug distribution patterns and price/purity data at the retail level.

Diversion control activities are supported through the examination of tablets, capsules, and papers, which provide information on illegal drug distribution.

This program also provides forensic drug laboratory support to the Interagency Crime and Drug Enforcement Task Force Program and to the FBI, which has concurrent jurisdiction for the enforcement of federal drug laws. The program also provides support to other federal, state and local law enforcement agencies that do not have their own forensic drug examination capability, or require the special expertise of DEA forensic scientists.

	Perm. Pos.	FTE	Amount
Training			
1996 Appropriation Anticipated	110	109	\$14,584
1997 Base	110	109	15,053
1997 Estimate	110	109	15,053
Increase/Decrease	...	...	...

LONG RANGE GOAL: To establish, maintain, and enhance the mission-related skills of DEA personnel so they may carry out their work responsibilities.

BASE PROGRAM DESCRIPTION: The Training Program provides DEA personnel with the skills and knowledge necessary to support DEA's goals of dismantling drug operations and developing and disseminating drug intelligence. DEA's specialized training courses include: entry-level training; advanced and in-service specialty training; management and supervisory training; state and local training; international training; and foreign language training.

	Perm. Pos.	FTE	Amount
Research, Engineering and Technical Operations			
1996 Appropriation Anticipated	394	392	\$86,149
1997 Base	394	392	91,387
1997 Estimate	394	392	108,281
Increase/Decrease	...	...	\$17,874

LONG RANGE GOAL: To support DEA enforcement and intelligence programs through research and development, procurement, maintenance, and management of technical investigative equipment and aircraft, and provide assistance to ensure maximum achievement of the agency's mission.

BASE PROGRAM DESCRIPTION: The Research, Engineering and Technical Operations Program is responsible for the following: 1) providing new technology and scientific support to the operational elements of DEA; 2) enhancing technical equipment, aircraft, and personnel resources in a manner that allows DEA investigative personnel to maximize their efforts, enhance their personal safety, and accomplish the agency's goals of disrupting drug trafficking organizations and reducing the availability of illicit drugs; and 3) ensuring the effectiveness of DEA's enforcement effort by offering or enhancing the speed, mobility, vantage, and maneuverability qualities unique to aircraft operations. These enhanced attributes are necessary to successfully conduct drug investigations not possible with surface vehicles.

	Perm. FTE	FTE	Amount
Automated Data Processing			
1996 Appropriation Anticipated	97	96	\$46,388
1997 Base	97	96	87,074
1997 Estimate	97	96	81,189
Increase/Decrease	...	...	24,095

LONG RANGE GOAL: To provide high quality and timely information technology resources and telecommunications support that maximizes the ability of the agency to meet its mission.

BASE PROGRAM DESCRIPTION: The ADP program provides all information technology services to DEA, worldwide. This responsibility includes the maintenance of a modern Data Base Management System (DBMS) while also improving the ability to query and file within those data bases.

In addition to DBMS, the information technology program is responsible for continually improving and developing systems applications that best manage information vital to supporting DEA's extensive intelligence information. DEA maintains a number of such systems, including the following: Narcotics and Dangerous Drugs Information System (NADDIS); Controlled Substances Act System (CSA); System to Retrieve Information from Drug Evidence (STRIDE); Automation of Reports and Consolidated Orders Systems (ARCOS I & II); and DEA Accounting System (DEAAS).

Additionally, DEA develops microcomputer applications for specific enforcement operations. DEA must sometimes conduct this type of high-level development in order to track the highest-level criminals. The nature of this information requires the support of a Secure Communication System, which includes, for both domestic and foreign offices, secure voice, facsimile, and teletypewriter communications.

ACTIVITY: PROGRAM DIRECTION

	Perm. Pos.	FTE	Amount
Management and Administration			
1996 Appropriation Anticipated	703	698	\$87,254
1997 Base	703	698	69,560
1997 Estimate	703	698	<u>84,686</u>
Increase/Decrease	...	...	15,126

LONG RANGE GOAL: To develop, maintain, and provide effective and efficient management, executive direction and control, and administrative support functions to ensure maximum achievement of DEA's mission.

BASE PROGRAM DESCRIPTION: This program formulates agency-wide policy and oversees all field management functions, monitors internal controls, and ensures that resources are used efficiently and effectively.

Staff Operations: Responds to Congressional, media, and public inquiries; provides DEA officials with reports on Congressional activities; issues press releases; prepares text of speeches, talking points, and Congressional testimony. The Staff Operations program also prepares legal briefs, opinions, and presentations; provides technical legal training in regulatory and criminal matters, civil litigation, seizures, forfeiture of assets, personnel, equal employment opportunity, procurement, and international matters; and advises management on matters pertaining to planning, policy analysis, and statistical systems.

Financial Management: Operating under the direction of the Chief Financial Officer (CFO), prepares DEA's budget; develops and maintains resource allocation plans; and operates DEA's accounting system.

Intelligence: Advises management on all matters pertaining to integrity/misconduct matters.

Security Programs: Oversees all personnel, document, and physical security at all DEA offices worldwide.

Personnel Operations: Oversees classification, pay, and position management; employee relations, assistance, and benefits; recruitment and placement; health and safety; personnel systems automation development; and validation and analysis of personnel procedures. Personnel Operations also advises and assists managers and employees on employee-specific matters, develops human resource policy, and provides guidance for the effective management of the work force.

Equal Employment Opportunity: Ensures that DEA focuses on legal and moral responsibilities in selecting and managing its work force. This prevents discrimination and morale problems and assures the equitable treatment of all DEA employees.

General Services: Provides DEA's administrative support including: the acquisition and utilization of space; operation, maintenance, and repair of office and special facilities; permanent change of station orders; relocation benefits; office supplies; formal procurement contracts and requisitions; office furniture and equipment; and DEA's motor vehicle fleet.

INITIATIVE			
	Perm. Pos.	FTE	Amount
Southwest Border Project			
Domestic Enforcement	77	38	\$18,131
Drug and Chemical Diversion Control	30	15	2,394
Intelligence	14	7	4,333
Total, Southwest Border	121	60	24,858

Proposed Actions

This initiative seeks to address the following objectives:

1. To target Mexican drug trafficking organizations through the extensive use of Title III wire intercepts throughout the Southwest Border.
2. To focus a coordinated federal effort to identify, investigate, and prosecute major drug traffickers operating along the Southwest Border.
3. To reduce the amount of illicit drugs entering the United States through the Southwest Border.

DEA requests a total of 121 positions (54 Special Agents, 15 diversion investigators, 7 intelligence analysts, and 45 support positions) and \$24,858,000 for a focused interagency enforcement effort along the Southwest Border of the United States. This top priority law enforcement effort seeks to staunch the flow of multi-ton quantities of illegal narcotics moving freely across our 2,000 mile border with Mexico, counter the insidious corruption erupting in communities on both sides of the border where Colombian and Mexican mafia organizations rule through violence and intimidation, and to dismantle and destroy those organizations that would erode our nation's rule of law, destroy the lives of our youth, and import crime and violence to our urban and rural neighborhoods.

This massive interagency effort brings together dedicated law enforcement resources from the DEA, FBI, INS, US Attorneys, Criminal Division, and other Department of Justice organizations into a comprehensive interagency effort to attack criminal drug trafficking organizations and stop cross border trafficking. DEA is a major contributor to this effort by providing linguists for critical Title III wire intercepts, urgently needed focused intelligence resources to support investigations, and a broad based investigative effort needed to build the large number of prosecutable cases essential in order to arrest, prosecute, and incarcerate violent drug criminals.

Implementation of this project includes the following enforcement activities: communications intercept; intelligence collection; and case investigations.

The Threat

The crime groups of the Mexican Federation have become the preeminent poly-drug traffickers in the world, and they are looking to expand their business into almost all types of drug trafficking. For the past three decades, Mexican crime families have increasingly used the 2,000-mile Southwest Border, stretching from Brownsville, Texas to San Diego, California, to smuggle a variety of illicit drugs into the United States. As shown by the map on the following page, what has emerged from their success is a conglomerate of Mexican crime families known as the "Mexican Federation."

Law enforcement's successful investigative and interdiction efforts in the Caribbean in the late 1980's and early 1990's subsequently forced the Colombian Mafia to also turn to the Southwest Border as a primary point for cocaine entering the United States. Impressed by the well-established trafficking networks of the Mexican Federation, the Colombian Mafia turned to the Federation to move cocaine into the United States.

Instead of having complete control of the entire cocaine trafficking network from the point of production in South America to the distribution in the United States, the Colombian Mafia, for the first time, has relinquished control of a portion of the transportation network to the Mexican Federation. The Colombians now contract with the Mexican Federation for drug transportation services across the Southwest Border.

Typically, the Colombian Mafia transports cocaine to Mexico or Central America, where command and control of the shipment shifts to the Mexican Federation. The Mexicans then smuggle the shipment across the Southwest Border to Colombian Mafia operatives waiting in gateway cities such as Houston, El Paso, Tucson, Phoenix, San Diego, or Los Angeles. The Colombian traffickers then move the shipments to their primary distribution centers in New York, Chicago, and other large metropolitan areas. Recent investigations have shown that some cocaine shipments, after crossing the Southwest Border, have been returned to a mid-American city, such as St. Louis, after going through a distribution center in New York.

Not only are the Colombians confident of their ability to move cocaine shipments from coast-to-coast within the United States, they are also assured of the Mexican Federation's ability to move drugs across the Southwest Border. Intelligence reports indicate that the Colombian Mafia now pays the Mexican Federation with a portion of the drug shipment instead of money. They have also allowed the Mexicans to establish their own cocaine distribution networks in certain cities of the United States. Furthermore, the Colombians are now starting to ship Colombian heroin through the same channels.

Mexican traffickers are also exploiting new opportunities by dominating the methamphetamine market. In the last three years, Mexican organizations have virtually saturated the Western U.S. market with high-purity methamphetamine. They have replaced outlaw motorcycle gangs as the predominant methamphetamine producers, traffickers, and distributors in California and much of the Western United States. To produce methamphetamine, the Mexican traffickers have established international connections for supplies of essential chemicals to laboratories throughout Mexico and California.

Although insufficient intelligence has been collected to show a continuing trend, investigations have revealed that Asian heroin traffickers are now discovering that the Southwest Border is an easy entry point for their illicit drugs. Intelligence reports indicate that both Colombian and Asian heroin is being flown into Mexican airports for eventual shipment across the Southwest Border.

While the United States cannot completely shut off the entire 2,000-mile Southwest Border, it can, through cooperative law enforcement efforts, penetrate these organizations and identify the location and timing of drug shipments. The following enforcement activities and resources are necessary for DEA to establish its portion of the Southwest Border Project.

Communications Intercept

DEA requests \$10,000,000 for a cooperative effort with the FBI to penetrate the command and control communications of the Mexican trafficking groups through extensive use of Title III wire intercepts. All \$10,000,000 is for contract linguist support.

Like the Cell Mafia, the Mexican transportation groups must also rely extensively upon communications to conduct their business. Because DEA and other law enforcement agencies have not had adequate resources to target their communications, Mexican command and control networks have not been penetrated.

DEA and the FBI need to have the ability to intercept telephonic communications. As DEA and the FBI would share this responsibility, DEA's requirement calls for the ability to handle simultaneous intercepts in strategic locations. DEA cannot meet this requirement without additional funding for contract linguist support.

DEA has had great success in using Title III wire intercepts against the command and control communications of the Cell Mafia. Through the analysis of many such intercepts, DEA has been able to identify and target many of the command and control phones used by the Cell Mafia to supply these local traffickers. When a command and control phone has been penetrated, law enforcement is able to learn, not only about drug shipments entering the United States, but also the identity and location of major Cell Mafia operatives working within the United States.

By penetrating the command and control communications of the Cali Mafia operating in Colombia and the United States, DEA will have the ability to identify and track shipments of cocaine from Colombia to the United States. The missing piece is, however, the Mexican connection. Law enforcement must also be able to penetrate the command and control communications of these Mexican organizations that are responsible for bringing Colombian cocaine and heroin, Mexican heroin, marijuana, methamphetamine, and possibly Asian heroin across the border.

DEA's Title III wire intercepts run for either 30, 60, or 90 days. Until recently, most of DEA's intercepts ran for 30 days. Now, because of DEA's involvement in more complex cases, most intercepts run for 60 days. Based on a requirement of four linguists to cover one intercept for 24 hours at an average cost of \$23 per hour, DEA's request of \$10 million for contract linguist support would provide the capability to run court ordered intercepts along the Southwest Border.

If all the offices listed above were to run a maximum of eight concurrent 60-day intercepts for an entire year, DEA would require linguist support to cover a total 432 intercepts for those offices. Although this level of intercept activity is extreme and is not expected, drug-related communications along the entire Southwest Border dictates the need for each DEA office to have the capacity to intercept as many as eight phones at one time. While an office may be running eight 60-day intercepts at any given time, another office may be running only two intercepts. A few months later, the situation may be reversed.

DEA cannot redirect current linguist funding to the Southwest Border Project without compromising and negating the penetration DEA has made into major trafficking organizations operating in the United States.

As recent investigations have shown, the infiltration by DEA of the command and control communications of the Cali Mafia has severely affected their operations. DEA cannot foresee the progress it has made on communications intercepts against the Cali Mafia. Thus, without the enhancement of \$10.0 million, DEA would not be able to extend this success to the Mexican trafficking groups, who are vulnerable to communications intercept.

Intelligence

DEA requests 14 professional/administrative positions and \$4,333,000 in support of a classified intelligence research project.

This project was initiated in 1993 with participants from DEA, the FBI, and the Criminal Division of the Department of Justice. Funding has come from outside sources and DEA. The project uses state-of-the-art equipment to glean intelligence from various data sources.

DEA is requesting \$3,890,000 for maintenance and continued development costs. These costs include license renewals, contractor support, supplies, equipment maintenance contracts, training and travel for analysts, and certification and accreditation costs.

Positions currently allocated to this program have been drawn from existing resources. Additional positions are required to analyze large volumes of data and to continue maintenance and programming for this state-of-the-art equipment.

Upon request, further information can be provided in a classified briefing.

Investigations

DEA requests 107 positions (84 Special Agents, 15 diversion investigators, 7 intelligence analysts, and 31 support positions) and \$10,525,000. Of this amount, 77 positions (60 Special Agents) and \$6,131,000 are necessary to make the cases from the intensive Title III intercept activity; and 30 positions (4 Special Agents and 16 diversion investigators) and \$2,394,000 would be used to focus on methamphetamine activity along the Southwest Border.

The ability to intercept drug trafficker communications and to apply the information received go hand-in-hand. The amount of information expected from the Southwest Border intercepts far exceeds the capacity of current staff in those offices. Without additional investigative staff for those offices, the Southwest Border communications intercept program will be far less effective. Additional investigative staff are also needed to address the growing problem of methamphetamine, most of which is being produced and distributed by Mexican trafficking organizations.

Title III wire intercepts are the vehicle by which DEA is provided information about drug traffickers and their activities; however, investigative follow-up by Special Agents and intelligence analysts links the information to form probable cause to effect arrests and seizures. In a DEA investigation known as the "Zorro" case, DEA Special Agents and intelligence analysts culminated and disseminated information provided by 308 Title III intercepts that linked Cali Cartel operatives to 31 on-going DEA investigations in 10 major U.S. cities. The identity of the operative and the scope of his organization might have never been known without the Title III intercepts and the personnel to establish the investigative link.

The linguist support requested for communications intercepts along the Southwest Border provides the capability for as many as 238 80-day wire intercepts. Considering the monitoring time that will be required with these new intercepts and the resulting investigative leads that will be generated, DEA requests 60 Special Agents for assignment to nine offices conducting the Title III wire intercepts along the Southwest Border. This would provide 6 additional Special Agents for each office to handle the increased monitoring and investigative workload generated by the intercepts.

Methamphetamine usage has escalated at an alarming rate in many U.S. cities. Mexican traffickers have virtually saturated California with high purity methamphetamine and have expanded the methamphetamine trade into most regions of the United States. The heightened abuse of methamphetamine has resulted in a staggering increase in violent crime attributable to the influence of methamphetamine. The violence has further spread among the street gangs who are competing for "turf" in a highly profitable market. As the chart on the following page shows, Mexicans have generated a stronghold on the

methamphetamine market by successfully infiltrating all phases of methamphetamine trafficking across the Southwest Border. This includes the production and smuggling of precursor chemicals as well as methamphetamine.

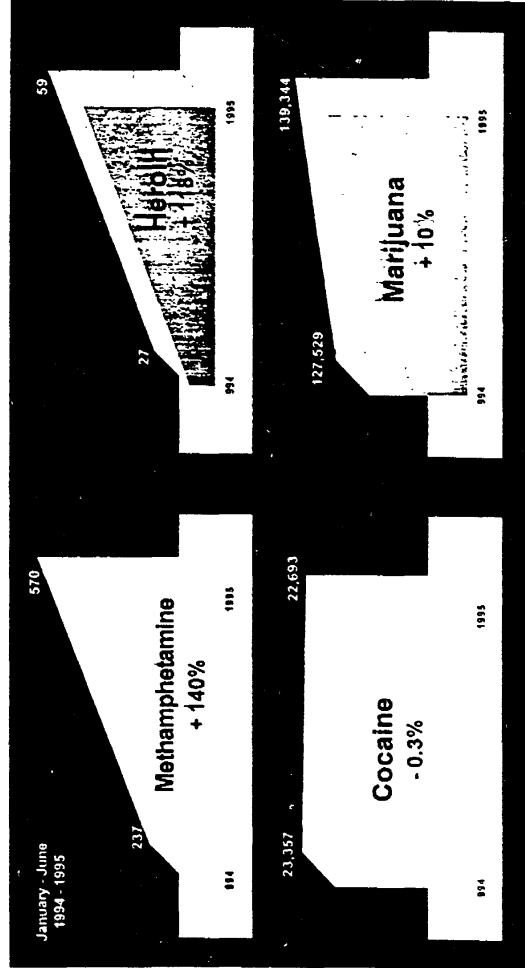
Fully exploiting a loophole in current federal law, methamphetamine traffickers have shifted from ephedrine to pseudoephedrine as the precursor in the methamphetamine manufacturing process thus enabling the spread of clandestine methamphetamine laboratories. In 1994, 283 methamphetamine laboratories were seized by DEA, 40 percent of which were in California. In addition to the methamphetamine laboratories seized by DEA in 1994, a comparable number of methamphetamine laboratories were seized by the California Bureau of Narcotic Enforcement.

Special Agent and Diversion Investigator positions would be assigned to offices along the Southwest Border and to DEA's California offices to address the escalating methamphetamine problem.

The Administrator of DEA has already begun to focus resources on the Southwest Border by using 1996 Violent Crime Trust Fund resources to support contract linguist efforts and will be requesting authority to reprogram some current resources to this urgently needed effort.

U.S. Southwest Border Drug Seizures

Kilograms



CP 1-8
07 31 95

Source: El Paso Intelligence Center

INITIATIVE

	Perm. Pos.	FTE	Amount
Replacement Bases			
Research, Engineering and Technical Operations	\$ 5,874
ADP	4,870
Management and Administration	15,128
Total, Replacement Bases	25,870

Proposed Actions

This Initiative seeks to address the following objective:

1. To restore the base program funding to a minimum acceptable level to ensure that adequate funding is available to programs which support DEA enforcement operations.

Technical Investigative Equipment

DEA requests \$3,874,000 to replace obsolete and worn out technical investigative equipment. Of that amount: \$2,750,000 will purchase microwave intelligence gathering equipment needed to replace inefficient video systems for surveillance operations; and \$1,124,000 will purchase modern tracking equipment critical to long range surveillance of vehicles, ships and aircraft.

Optical Program

DEA requests \$2,750,000 to purchase Microwave Intelligence Gathering Systems (MIGS) equipment.

Video documentation of criminal activity is one of the most effective tools in the prosecution of criminals, often providing irrefutable evidence that an illegal activity has occurred. As a result, law enforcement has come to rely heavily on this form of documentation. DEA's current method of video surveillance is very limited, inefficient, and could compromise the investigation. New technology is available that will allow DEA to conduct multiple surveillances at one time with less resources and provide a greater degree of security.

Presently, in order for DEA to conduct a video surveillance, a video camera and a transmission device are planted and disguised in the neighborhood of the target.

DEA now has the opportunity to purchase Microwave Intelligence Gathering Systems (MIGS). This system consists of a receiving station located at a high terrain point within line-of-sight of the DEA office. A microwave receiver would be located at the site with a remote-controlled high-gain antenna. A microwave transmitter is then pointed towards a video camera located near the target site which captures the images. The video images are transmitted back to the division office instead of an observation post. A large MIG can monitor and transmit from eight sites simultaneously.

Each time DEA uses an observation post, the chances increase that an investigation will be compromised. While we are not aware of any investigations that have been compromised through the use of an observation post, the possibility certainly exists as many more people have the knowledge that an investigation is taking place.

The single biggest advantage of the microwave intelligence gathering system is that it eliminates the need for observation posts. This reduces the security risk and eliminates the need for Special Agents to make repeated trips to and from the observation post to obtain video tapes. Also, real-time intelligence is available when needed.

Tracking System

DEA requests \$1,124,000 to purchase new tracking systems for DEA investigators.

DEA currently uses three types of tracking methods--human surveillance, directional finding, and satellite tracking. Each of these methods have serious limitations. These limitations can be overcome with new technology. The technology now available will provide DEA uninterrupted, worldwide tracking capabilities.

By integrating these technologies DEA can get immediate, continuous, and accurate locations of beacons (targets). At a cost of \$38,000 per site, this new tracking system can virtually replace DEA's current tracking methods and provide DEA with a more effective method of tracking drug shipments, drug traffickers and perhaps, even more importantly, Special Agents.

Aircraft Replacement Base

DEA requests \$1,000,000 to establish an aircraft replacement base.

By 1997, the average age of single-engine aircraft in DEA's fleet will be over 18 years old. The older the aircraft is, the more costly it is to operate and the less dependable and productive the aircraft will be. DEA currently has no replacement base for aircraft. It is critical that DEA replace aging aircraft in order to ensure a safe and efficient fleet capable of meeting changing mission demands.

DEA currently has 26 single-engine, fixed wing aircraft in its fleet. A total of 22 single-engine aircraft are over 10 years old and four aircraft are less than 10 years old. Single-engine aircraft over 10 years old cost DEA an average of \$248 more per hour to operate than aircraft less than 10 years old. In addition, aircraft over 10 years old fly an average of 138 hours less per year.

DEA also has a total of 12 single-engine helicopters in the fleet. Single-engine helicopters over 10 years old cost DEA an average of \$366 more per hour to operate and fly an average of 90 hours less per year.

Another factor that cannot be overlooked is the fact that 80 percent of DEA's aircraft are seized from drug traffickers. When DEA seizes an aircraft, maintenance records are only available 80 percent of the time. Even when records are available they are not always reliable. Due to the nature of their business, drug traffickers are often willing to take chances with their aircraft that DEA would not take. This can cause the aircraft to be subjected to conditions and stresses that could further limit the life of the aircraft.

A total of \$2.0 million would allow DEA to replace one single-engine helicopter and eight single-engine fixed wing aircraft

ADP Equipment Maintenance and Replacement

DEA requests \$4,870,000 to reestablish two funding bases for DEA's ADP program: an equipment maintenance base (\$2,100,000) to support DEA's capital investment in FIREBIRD/MERLIN automation equipment, and \$2,870,000 to establish an equipment base to replace obsolete or damaged equipment and purchase mission-critical ADP equipment. These funds are essential if DEA is to properly manage and maintain critical ADP applications for investigations and support activities.

Equipment Maintenance

If DEA does not receive additional maintenance funding in 1997, access to time-critical information could be threatened. DEA will be installing millions of dollars worth of sophisticated FIREBIRD/MERLIN/MERCURY equipment that must be covered either under the existing maintenance contract, or put a significant amount of capital investment at risk.

Over the years, DEA has invested millions of dollars in computer equipment and cannot afford to replace each piece of equipment when it breaks. Having a maintenance contract is more cost effective. In addition, DEA cannot afford to have mission critical equipment idle for several days. As an example, in a resident office with one office automation/ FIREBIRD server, if the server shuts down, Special Agents would not be able to access NADDIS or other investigative systems. In another case, if a computer dedicated to PC TARE (payroll information) fails, the equipment must be fixed in a timely manner to preclude payroll problems.

The estimate for equipment maintenance in 1997 will increase over 1996 for two reasons: 1) FIREBIRD, MERLIN and MERCURY equipment that was deployed in 1985 and 1986 has a one-year warranty which will expire in 1987; and, 2) the 1986 costs are based on the inventory currently listed in DEA's property management system (estimating 38,000 pieces of ADP equipment). DEA believes that this system underestimates the amount of equipment in the field. After the results of a recent audit are applied to the Property Management System, the cost of the maintenance contract will increase due to the increased amount of equipment that DEA has deployed across the country. In addition, with the purchase of additional FIREBIRD and MERLIN equipment, it is estimated that DEA will need \$4,800,000 for maintenance in 1997.

Equipment Replacement

For the last several years, DEA's ADP equipment base has been reduced to less than \$50,000. As a result, DEA is unable to replace equipment as it reaches the end of its life cycle. Although DEA is in the process of a major office automation procurement, FIREBIRD, this project does not provide funding for all of DEA's ADP equipment needs. There is much more to DEA's ADP program than office automation.

DEA requests \$2,570,000 for an equipment replacement base. Four examples of DEA's ADP equipment needs beyond the FIREBIRD project in 1987 are: 1) \$850,000 to purchase 216 laptops for Special Agents, inspectors, and intelligence analysts to complete assignments in the field; 2) \$850,000 to replace high speed printers; 3) \$900,000 to purchase equipment in support of the Network Control Center; and, 4) \$470,000 to install the Non-Drug Evidence Data Base System in DEA's resident offices. This request would rebuild DEA's ADP equipment base to purchase mission-critical equipment when the need arises and replace equipment when it is no longer usable.

Laptops:

The Office of Information Systems receives countless requests for laptops from the field during the year. As technology changes and improves, the capabilities of these computers grows. DEA should invest in technology that makes its personnel more productive during times when agencies are trying to do more with less. Special Agents and intelligence analysts have requested laptop computers for use while traveling or on surveillance. Office of Professional Responsibility (OPR) personnel and inspectors need laptop computers for taking notes and writing reports while conducting interviews in field divisions. This request for \$850,000 (216 laptops) will provide DEA with a base of laptops to distribute as needed or replace old laptops as they break down. Because laptops are used primarily while employees travel, the wear and tear on them is significant.

Printers:

In 1990, DEA purchased 37 High speed laser printers for DEA's field divisions, the forensic laboratories, and selected offices within DEA Headquarters. By 1997, these printers will be seven years old. Current printer technology is cheaper and, as time goes on, parts for the older printers will be harder to find. These printers are no longer being manufactured by Xerox and they are not on GSA schedule for maintenance. Incidence of failures will increase; therefore, the printers will be idle longer for repairs. It is more cost effective to replace these printers. If these printers are not replaced, DEA's ability to provide timely support to major field investigations, operations, and programs would be affected.

Network Control Center Equipment:

DEA's request for \$800,000 is the first of three annual increments to obtain Network Control Center (NCC) backup equipment. If this equipment is not purchased, DEA will not be in compliance with DOJ and OMB mandates to prepare contingency plans for mission critical installations. The nature of the NCC requires that backup operations be implemented within an extremely short time frame, substantiating the need for a standby, alternate site. Should the NCCs equipment fail to operate, DEA data information operations would largely come to a complete halt, since the NCC serves as the communications focal point and switch for all incoming and outgoing data transfer operations. DEA must procure backup equipment to maintain vital communications functions in the event of an emergency.

Non-Drug Evidence Data Base System Equipment:

The Non-Drug Evidence Data Base System (NEDS) has been evaluated as being helpful in tracking evidence information and in conducting inventories. Based on this evaluation, it needs to be installed in all district and resident offices. Offices would no longer have to manually track evidence in custody. With the automation of the evidence vaults, information pertaining to evidence can be acquired almost instantaneously on evidence and its custody. This leaves technicians and investigators with more time to devote to other more important aspects of an investigation. Because of the number of offices involved, DEA plans to install NEDS in 120 offices over a three-year period; it will cost approximately \$470,000 per year.

Permanent Change of Station (PCS) Base Restoration

DEA requests \$15,126,000 to establish an adequate level of base program funding for the agency's Permanent Change of Station (PCS) Program. This funding is critical to ensure Special Agent safety and integrity, as well as promote the agency's necessary career development goals.

DEA personnel are moved for a variety of reasons. Among these, first and foremost is Special Agent safety. To prevent the compromise of active Special Agents, reassignment is often the best solution. Other factors such as integrity assurance and career development contribute to the requirement to regularly move personnel.

The extremely volatile nature of DEA investigations poses unique concerns in the area of Special Agent safety. Agents who are stationed at the same location for too long a period risk not only their own health and welfare, but also the welfare of other case Agents. Special Agent mobility also supports the assurance of integrity for ongoing cases that can be compromised if Special Agents are not routinely reassigned to other posts of duty.

Over the course of a career, a DEA Special Agent will typically be required to change duty stations three to four times for career development purposes. The goal of DEA's career development plan is to enhance Special Agent competence, while developing a highly capable managerial corps. This goal is best achieved through varied and increasingly complex work assignments.

Another factor influencing DEA's PCS policy is the need to move personnel in order to safeguard the overall integrity of its Special Agent work force. Numerous studies, including the 1994 Meiken Commission Report on police corruption, cite the necessity of routinely moving law enforcement personnel to ensure work force integrity.

Over the past six years, roughly 70 percent of DEA's PCS moves have been related to the transfer of Special Agents. This figure would actually be closer to 80 percent, if not for the high number of non-Agent personnel transferred in 1991, which worked to bring down the overall percentage of Special Agent PCS transfers.

From 1990 to 1996, DEA has moved an average of 843 employees at a cost of \$20.9 million annually, although PCS resources have varied considerably due to funding limitations. Over time, a significant amount of money was reprogrammed out of the agency's PCS funding base in order to meet other critical agency requirements. This has resulted in an artificially low PCS operating base (\$12.5 million in 1996), far below that which is required to maintain the agency's established PCS standards.

Due to these funding shortfalls, DEA has, in recent years, been largely restricted to undertaking only mission critical transfers. Many of these moves involved senior level employees, which increased the cost of individual PCS moves. It also resulted in a significant PCS backlog, which the agency only began to address during 1996. Without additional funding for PCS, DEA may be forced to lengthen the tours of its Special Agent work force. Over the long-term, extended tours would adversely affect the quality and competency of its Special Agents, as well as pose additional concerns for the agency in the area of safety and integrity assurance. A lack of Special Agent mobility may also lead to long-term agency morale problems. DEA Special Agents sign mobility agreements upon entry into the organization, with the anticipation of being able to laterally transfer between positions. The lack of PCS funding in recent years has worked to limit the overall number of agency transfers, thus

hindering Special Agent mobility and detrimentally affecting organizational morale. Without the establishment of an adequate PCS base, this problem will only continue to grow with the passage of time. Despite the significant inroads made into this backlog, DEA needs to permanently increase its overall PCS funding base in order to fully meet the agency's safety, career development, and integrity assurance guidelines. In 1997, DEA requests a total of \$15.1 million in order to establish a permanent PCS funding base of roughly \$28.0 million.

INITIATIVE

	Perm. FTE	FTE	Amount
Heroin Strategy Foreign Cooperative Investigations	3	2	\$ 632

Proposed Actions

This initiative seeks to address the following objectives:

- 1) To target major heroin traffickers operating within the United States and abroad.
- 2) To reduce the amount of heroin entering and trafficked within the United States.

Executive Cooperative Investigations

DEA requests 3 positions (2 Special Agents) and \$632,000 (including \$228,000 in special program funding) to open a country office in Pretoria, South Africa. A DEA presence in this major heroin transshipment point is a critical part of DEA's overall foreign based operations and a vital link in the chain of the agency's overseas intelligence gathering capability targeted at Nigerian heroin traffickers.

Located on Africa's Cape of Good Hope, the nation of South Africa has increasingly become a transshipment point for cocaine entering Europe, and Southeast Asian heroin entering the United States. South Africa also has the dubious distinction of being the largest consumer of illicit drugs on the African continent. This combination of factors, along with the country's strategic location, lead many to believe that South Africa will continue to grow as a major drug transshipment point in years to come. Limited resources in this region of the globe have made it extremely difficult for DEA to respond to the emerging threat posed by South African drug traffickers. In 1997, DEA will begin to expand its drug enforcement operations on the Continent of Africa.

Drug trafficking and production in South Africa have increased precipitously in recent years. In particular, the availability of South American cocaine has increased significantly, with cocaine seizures rising from 164 grams in 1989 to 69.5 kilograms in 1994. During this time frame, cocaine sales and use have increased in all of South Africa's major cities, including Cape Town and Johannesburg. Nigerian drug trafficking organizations are responsible for most of the increase in cocaine available in South Africa. These traffickers use South Africa as a transit location to smuggle cocaine from South America to Europe.

Nigerian-controlled couriers smuggle Southeast Asian heroin from Thailand, through South Africa, to the United States on direct commercial flights. Over the past year, there have been numerous instances of South African couriers arrested at United States airports, or transiting Europe en route to the United States, with multi-kilogram quantities of heroin. DEA believes that Nigerian couriers, using fraudulent South African passports, travel from Thailand to Johannesburg via direct commercial flights on South African Airways or Brazil's Varig Airlines; and then from Johannesburg to JFK airport in New York City, or to Miami on South African Airways. They also are believed to fly from Cape Town directly to Miami.

In late 1993, at least two heroin couriers were arrested in Thailand attempting to travel to South Africa. One of the two was in possession of a fraudulent South African passport and may have been a Nigerian national. In 1994, several South African nationals recruited by Nigerian heroin traffickers were arrested in Thailand, South Africa, and the United States in possession of Southeast Asian heroin. Some of those arrested in the United States were believed to be Nigerians in possession of fraudulent South African passports. According to the South African National Crime Investigation Service, as of November 1995, ten South African citizens were in custody in Bangkok, Thailand for heroin and cocaine trafficking.

Responsibility for drugs being trafficked through South Africa currently rests with DEA's Country Office in Cairo, Egypt. This office is so far removed from Pretoria that it provides little in the way of concrete support for enforcement and intelligence operations in the region.

Drug trafficking in South Africa requires the increased attention of DEA overseas enforcement operations. Southeast Asian heroin, smuggled by Nigeria/West African drug traffickers, poses an ever-growing threat to the United States. One of DEA's priority objectives in inspecting the key figures in major international and national heroin trafficking organizations includes penetrating Nigerian heroin trafficking organizations, domestically and in Africa, and Southeast and Southwest Asia. Opening a country office in Pretoria would give DEA another prime location from which to attack Nigerian drug trafficking organizations.

DEA has strong support for the opening of an office in Pretoria from the U.S. Ambassador to South Africa. The agency also enjoys a strong working relationship with the South African Narcotics Bureau (SANAB), considered to be the preeminent drug law enforcement agency in Africa. SANAB supports the opening of a DEA office in Pretoria, and is aggressively cooperating with drug law enforcement officials from the United States and other countries through the exchange of drug intelligence and joint investigations. Due to the extreme distance involved in providing TDY support for South Africa from Cairo, opening an office in Pretoria appears to be a cost effective and strategically wise alternative.

INITIATIVE

	Perm. Pos.	FTE	Amount
...	\$12,000

Communications Programs
Research, Engineering and Technical Operations

Proposed Actions

This initiative seeks to address the following objective:

1. To improve the investigative capabilities and effectiveness of DEA Special Agents.

Wireless Radio

DEA requests a total of \$9,000,000 to purchase wireless radio equipment for DEA's domestic offices. This interagency initiative responds to a federal mandate to convert existing systems to narrow band systems.

DEA's Digital Voice Privacy (DVP) radio system is used in all of its domestic field offices. This DVP system consists of fixed equipment (repeaters and base stations), mobile radios for vehicles, and portable radios for operations outside of vehicles. The DVP system provides encrypted voice communication that cannot be intercepted and it allows DEA personnel to communicate with other federal, state, and local law enforcement officers participating in joint operations. Because of a new federal requirement, DEA must convert its radio system to a narrow band system in order to communicate with other federal and state and local law enforcement agencies involved in joint investigations.

The National Telecommunications and Information Administration (NTIA), under the auspices of the Department of Commerce, has mandated that beginning in 1995 all existing Federal Government 28 KHz communication equipment must be converted to a new, narrow band 12.5 KHz technology to maximize frequencies. NTIA mandates that the conversion should be completed by the year 2008. Unless DEA replaces its DVP radio equipment by 2008, we will be in violation of the NTIA mandate. After 2008 DEA could be forbidden to transmit any radio communication using the existing bandwidth. The NTIA mandate not withstanding, the existing equipment must be replaced as it nears the end of its life cycle.

It is critical that DEA Agents have the capability to communicate with other federal, state and local law enforcement agencies involved in joint investigations. The total cost to purchase and install the new wireless radio equipment in DEA's domestic field offices is estimated to be \$105 million. DEA received \$2,000,000 in the 1998 VCRP budget for wireless radio.

Spreading the implementation out over ten years would allow DEA to replace the equipment in 2 divisions each year which is manageable from a logistical and training perspective. It would also allow DEA to establish a 10-year replacement cycle.

Digital Telephony

DEA requests \$3,000,000 for equipment to implement new digital intercept technology in two field divisions.

Communications intercepts have become one of law enforcement's most effective investigative weapons against drug traffickers. By intercepting communications, DEA has been able to identify major traffickers and their assets and disrupt the distribution of illicit drug shipments. Because of changes in technology, most of DEA's intercept equipment may be obsolete by 1997--rendering DEA incapable of intercepting much of the communications between drug traffickers and their organizations.

The telephone industry has become highly sophisticated with the integration of analog and digital technologies. In the past, basic telephone service allowed only voice transmissions between two parties. Now, new technology permits the transmission of high speed computer data, video imaging, digital audio, and digital pager information. Cellular communications now enable users to initiate and receive calls without regard to their geographical location through cellular telephones and pagers. These advances make it difficult to intercept communications.

The FBI and DEA are working together to develop equipment that will intercept the new digital technology. The total cost to convert DEA offices to this technology is estimated to be \$35 million. DEA received \$1,650,000 for digital intercept equipment for one division in the 1986 VCRP budget. This request was presented as part of a multi-year conversion to new digital intercept technology. An additional \$3,000,000 will allow DEA to convert two additional division offices each year to the new digital technology.

DEA's most effective investigative tool will be jeopardized unless the agency purchases equipment capable of intercepting the new digital technology. Without this capability, DEA will not be as effective at penetrating the command and control structures of major drug trafficking organizations and critical intelligence will be lost.

INITIATIVE

ADP Systems Intelligence ADP Total, ADP Systems	Perm.		FTE	Amount
	Pos.	...		
	\$ 4,425
	15,000
	19,425

Proposed Actions

This Initiative seeks to address the following objectives:

1. To upgrade the quality of the agency's automated data processing systems to permit communication with other agencies and keep pace with the agency's increasing workload.
2. To give DEA the ability to take current business processes and, through automation, re-engineer these processes to allow the user to work more efficiently.
3. To provide a classified system that will perform the routine tasks of data retrieval, local processing, cataloging, and the storing and manipulation of data.

FIREBIRD

DEA requests \$15,000,000 for Phase II of the FIREBIRD project which will provide DEA Special Agents with the automated tools needed to communicate effectively with other law enforcement agencies, streamline burdensome report writing, and provide access to multi-agency law enforcement data bases. FIREBIRD's case management system significantly improves the efficiency of Agent investigations and will allow for the replacement of archaic manual reporting systems. FIREBIRD will save thousands of hours of data search time, costly mailing of case information, and eliminate duplicate written files.

This funding will purchase additional hardware and software (\$12.4 million), communications lines (\$5 million), and training, installation, maintenance, and other contract services (\$2.6 million).

DEA's mission is dependent on gathering and manipulating information critical to the pursuit of drug investigations. The requirement to analyze and share this information throughout DEA and with other law enforcement agencies has created a

critical need for enhanced information systems. However, DEA's current outdated system does not permit communication with other agencies nor can it keep pace with the agency's increasing workload.

The Attorney General has directed DEA and the FBI to develop and procure a joint office automation system. The joint procurement will not be awarded until, at the very least, the year 2000. DEA law enforcement priorities will not afford such a delay. As an interim solution, DEA has developed FIREBIRD to improve DEA's automated infrastructure to include interoperability with other agencies.

Volumes of enforcement and intelligence information are contained in DEA's investigative reports and other documents that cannot be effectively accessed manually. FIREBIRD will bring together information from a variety of sources and give Special Agents and intelligence analysts the ability to quickly analyze this information, saving thousands of research hours and giving a much better chance of linking what may appear to be unrelated facts or observations.

The total cost of the FIREBIRD project is estimated at \$100 million. To date, the project has been funded primarily through DOJ's Working Capital Fund (WCF). DEA received \$27.4 million from the WCF in 1984 and \$12 million in 1985 for Phase I of the implementation. In addition, in 1986, DEA internally reallocated \$5,400,000 from its base-funding that was originally given to DEA to fund the construction of the Alliance Airport-to begin Phase II of FIREBIRD implementation.

Phase I of FIREBIRD will accomplish: 1) expansion of the capabilities of DEA's existing communication network; 2) automation of the information in DEA's file room (DEA-8 and other investigative forms); 3) nationwide transmission, storage, and retrieval of these electronic case files; and, 4) implementation of FIREBIRD in Headquarters and 19 division offices.

At completion, Phase II will bring FIREBIRD to the district and resident office level. Costs of duty, overseas offices, EPIC, the Airwing, and the Office of Training. The requested amount of \$16,000,000 plus the \$5,400,000 reallocated in 1986 will provide DEA with \$20,400,000 towards implementing Phase II of FIREBIRD. With this funding, DEA will outfit the newly-established Caribbean Division and then complete each field division down to the post of duty level. As each division is completed, the laboratories located within the geographical area of a division will be included in this installation process. In subsequent years, DEA will equip EPIC, the Airwing, the Office of Training, and finally, DEA's overseas offices. In addition, Phase II would provide additional funding for training, tailored to DEA's operations as well as enable DEA to develop applications specifically designed for the agency.

FIREBIRD will provide new services to DEA users through an agency-wide infrastructure; specifically, Agents will create, review, release, and update an electronic DEA-8. DEA Agents and intelligence analysts across the country, and eventually around the world, will have access to search for and retrieve case information including reports, photographs, and related materials from the new electronic file room where DEA-8s and other investigative reports will be stored. With FIREBIRD, DEA personnel will be more productive, have better investigative information, and will be able to spend more time in the field.

FIREBIRD also gives DEA the ability to take current business processes and, through automation, re-engineer these processes to allow the user to work more efficiently. The system provides the infrastructure for the development of customized data bases to eliminate isolated and redundant pools of information--created by individuals who have instituted their own data bases using a variety of software packages. These customized data bases would enable DEA users to query several information sources at once. This would save valuable time in responding to time-sensitive requests. Currently, this function does not exist in a standardized configuration throughout DEA.

Project MERLIN

DEA requests \$4,425,000 for Project MERLIN which will provide critical intelligence information in support of investigations in a manner that is faster, more current, and more complete than is currently possible. MERLIN facilitates intelligence analysts in developing intelligence products--these products in turn enhance the analysts' ability to provide vital information to enforcement operations. The intelligence analysts will be able to devote more time to analytical tasks while the software applications perform the routine tasks of data retrieval, cataloging, and initial processing.

MERLIN, operating at the SECRET HIGH security level, provides tools which: reduce the time it takes to locate and analyze information; access and analyze collections of information to reveal patterns and trends; improve analysis of information to enable decision making; enable analysis not possible by manual or basic computer means; and enhance the methods of producing and distributing reports.

MERLIN will support both domestic and foreign intelligence efforts. Currently, MERLIN provides DEA Headquarters and a few DEA field offices (Miami, Houston, and Los Angeles) with advanced intelligence analyst work stations; these work stations provide the capability to transmit and share classified data over DEA's existing telecommunication network.

DEA is requesting \$4,425,000 to continue development and deployment of MERLIN to other DEA offices. Of this request, \$1.6 million is needed for operating and engineering support. This support includes system administration, network administration, configuration management services, a DEA help desk, technical support of base line software configuration, hardware and software replenishment, and support to certification and accreditation activities. This is a recurring expense and should become part of the DEA budget base.

The remaining \$2,825,000 is necessary to install MERLIN in the remaining 16 domestic offices and those district offices where FIREBIRD is installed. These funds will be used to procure hardware, software, and installation services for the new sites. Additional work stations will be purchased (as funding permit) to provide the remaining intelligence analysts at the initial sites with MERLIN work stations.

DRUG ENFORCEMENT ADMINISTRATION
PERFORMANCE MEASUREMENT TABLE PRESENTED BY ORGANIZATIONAL GOAL

ORGANIZATIONAL GOAL 1: Reduce the availability of illicit drugs in the United States.									
PERFORMANCE INDICATOR INFORMATION									
Type of Indicator	1993 Actual	1994 Actual	1995 Actual	1996 Estimate	1997 Estimate	1998 Actual	1998 Estimate	1999 Estimate	1999 Estimate
Input	Performance Indicators								
	1. Special Field Intelligence Program (SFIP) Resources (\$m) /1	\$1.4	\$1.4	\$1.3	\$1.4	\$1.3	\$1.4	\$1.4	\$1.4
	2. PEPI (\$ thousands) /2	\$23,742.0	\$23,185.0	\$24,278.0	\$27,731.0	\$27,731.0	\$27,731.0	\$28,034.0	\$28,034.0
	3. FTE	3,871	3,670	3,466	3,687	3,687	3,687	3,687	3,687
Output	4. SIA Investigative Workhours								
	a) Domestic Offices	5,017,353	4,845,849	4,318,378	4,444,473	4,444,473	4,444,473	4,650,383	4,650,383
	b) Foreign Offices	408,477	431,942	355,185	365,559	365,559	365,559	374,287	374,287
	5. Criminal Cases Opened								
	a) Domestic Offices /3	13,778	12,522	14,842	15,070	15,070	15,070	15,429	15,429
	b) Foreign Offices	670	640	650	689	689	689	685	685
	6. Investigative Documents /4	602,992	497,020	475,895	489,585	489,585	489,585	501,252	501,252
	7. Airwing Missions Flown /8								
	a) Surveillance	n/a	4,278	3,271	3,387	3,387	3,387	3,447	3,447
	b) Intelligence/Reconnaissance	n/a	934	868	893	893	893	915	915
Intermediate Outcome	c) Other	n/a	7,265	5,358	5,514	5,514	5,514	5,646	5,646
	d) Total	n/a	12,495	9,497	9,774	9,774	9,774	10,007	10,007
	8. Domestic Drug Removals /5								
	a) Heroin (kgs)	722	475	539	555	555	555	568	568
	b) Cocaine (kgs)	60,784	68,112	52,013	53,532	53,532	53,532	54,807	54,807
	c) Cannabis (kgs)	142,593	153,158	231,612	238,375	238,375	238,375	244,055	244,055
	d) Dangerous Drugs (Mill dosage Units)	84	157	168	171	171	171	175	175
	9. Foreign Drug Removals /6								
	a) Heroin (kgs)	7,219	4,192	2,815	2,897	2,897	2,897	2,968	2,968
	b) Cocaine (kgs)	126,575	62,854	71,020	73,711	73,711	73,711	75,488	75,488
	c) Cannabis (kgs)	832,865	130,771	164,893	189,708	189,708	189,708	173,752	173,752

PERFORMANCE INDICATOR INFORMATION		PERFORMANCE TARGETS AND ACTUAL RESULTS				
Type of Indicator	Performance Indicators	1993 Actual	1994 Actual	1995 Actual	1996 Estimate	1997 Estimate
Intermediate	10. Domestic Cannabis Eradication					
	Suppression Program /7					
Outcome, confid	a) Plant Eradication	392,349	508,721	508,531	521,322	533,744
	b) Outdoor Plots	64,132	53,688	64,438	66,318	67,898
Outcome, confid	c) Indoor Growers Seized	3,347	3,209	3,348	3,448	3,528
	d) Arrests	12,397	13,108	13,857	14,282	14,871
End Outcome	e) Assets Seized (\$m)	\$52.0	\$56.7	\$42.2	\$43.4	\$44.5
	11. Domestic Clandestine Labs Seized	286	272	319	328	338
End Outcome	12. Domestic Asset Seizures (\$m) /8	\$888.7	\$850.8	\$844.5	\$853.4	\$879.2
	13. Domestic Asset Forfeitures (\$m)	\$356.7	\$474.5	\$277.5	\$285.9	\$282.7

A. Definition of Terms or Explanation for Indicators:

1. FY 1993, FY 1994, and FY 1995 figures are based on amounts expended.
2. Represents total PEPT dollars expended by domestic, foreign, and headquarters offices
3. Excludes diversion criminal cases that are shown in Goal #3.
4. Monthly case status reports were changed to quarterly reports at the beginning of FY 1994--decrease from FY 93 to FY 94.
5. Figures are based on DEA drug evidence submitted by the DEA laboratories.
6. Based on DEA drug evidence submitted by the DEA Special Testing Lab and on official reports of foreign coop seizures submitted to that lab.
7. All DCE/SP data are compiled annually by calendar year rather than fiscal year. Therefore, data for FY 1996 has not been compiled.
8. Some investigative documents related to informants were no longer submitted to the HQ investigative files beginning with FY 1995. Taking that procedural change into account, the monthly trend for FY 1995 shows slight increases over FY 1994.
9. Allowing Mission Flow category was reported in FY 1993 as Surveillance Flight Hours/ information would not be view accurately if reported.

ORGANIZATIONAL GOAL 2: Disrupt and dismantle Drug Trafficking Organizations.											
PERFORMANCE INDICATOR INFORMATION			PERFORMANCE TARGETS AND ACTUAL RESULTS								
Type of Indicator	Performance Indicators		1993 Actual	1994 Actual	1995 Actual	1996 Estimate	1997 Estimate				
Input											
1. Special Field Intelligence Program (SFIP) Resources (\$m) /1	\$1.40	\$1.37	\$1.27	\$1.43	\$1.43	\$1.43	\$28,034.00				
2. PEP/1 (\$ thousands)	\$23,742.00	\$23,185.00	\$24,278.00	\$27,731.00	\$27,731.00	\$28,034.00					
3. FTE	3,671	3,570	3,466	3,567	3,567	3,652					
4. S/A Investigative Workhours											
a) Domestic Offices	5,017,353	4,845,849	4,318,378	4,444,473	4,444,473	4,550,383					
b) Foreign Offices	409,477	431,942	355,185	365,558	365,558	374,287					
5. Title I/II Ordered	321	353	300	309	309	316					
6. Investigative Documents /2	602,992	497,020	475,695	489,585	489,585	501,252					
7. Cases Opened											
a) Foreign	870	840	650	669	669	685					
b) S/L Task Forces	5,238	4,308	5,659	5,824	5,824	5,983					
c) Joint S/L	3,150	4,004	4,980	5,138	5,138	5,258					
d) OCDETF /3	749	501	353	363	363	372					
e) Other Domestic	5,389	3,711	3,640	3,746	3,746	3,836					
f) Total Domestic	13,775	12,522	14,642	15,070	15,070	15,429					
8. Arrests											
a) Domestic /4	21,682	21,641	23,791	24,488	24,488	25,089					
b) Foreign	1,827	1,721	1,518	1,562	1,562	1,600					
9. Estimated Number of Prosecutions /5											
a) Federal	14,100	13,900	14,200	14,815	14,815	14,963					
b) State	6,000	6,000	7,800	7,822	7,822	8,008					
10. Assets Seized (\$m)	\$988.7	\$650.8	\$644.6	\$663.4	\$663.4	\$679.2					
11. Domestic Asset Forfeitures (\$m) /6	\$356.7	\$474.8	\$277.8	\$285.9	\$285.9	\$292.7					
12. Convictions	18,325	14,837	14,101	14,513	14,513	14,859					
End Outcome											

A. Definition of Terms or Explanation for Indicators:	
	<p>/1. Represented total PE/PI dollars expended by domestic, foreign, and headquarters offices</p> <p>/2. Most of the decreases from FY 1993 to FY 1994 was caused by changing monthly case status reports to quarterly reports at the beginning of FY 94. Beginning with FY 1995, some investigative documents related to informants were no longer submitted to the HQ investigative files. Taking that procedural change into account, the monthly trend for FY 1995 shows slight increases over FY 1994.</p> <p>/3. Ongoing DEA cases accepted into OCDETF during a given year may have been reported in other domestic categories for the same or preceding fiscal year. Accordingly, OCDETF cases are not included in the total domestic criminal investigations opened.</p> <p>/4. FY 1994 arrests are estimated to reach 21,920 based upon current data and prior reporting patterns.</p> <p>/5. These data are estimated rather than actual figures.</p> <p>/6. While total domestic asset seizures for FY 1994 are 5 percent below those of FY 1993, assets seized in SA cooperative cases are up 13 percent and those in OCDETF cases are up 2 percent.</p>

ORGANIZATIONAL GOAL 3: Prevent legitimately produced controlled substances from being diverted into illicit channels.						
PERFORMANCE INDICATOR INFORMATION			PERFORMANCE TARGETS AND ACTUAL RESULTS			
Type of Indicator	Performance Indicators	1993 Actual	1994 Actual	1995 Actual	1996 Estimate	1997 Estimate
Input	1. Domestic Diversion Investigative Workhours					
	a) Criminal Cases	282,091	249,427	250,480	281,986	297,531
	b) Complaint Cases	126,876	114,916	106,193	123,784	126,141
	c) Other Cases	133,233	124,489	125,184	145,909	148,875
Output	2. Diversion Investigator (Drug & Chemical) FTE	404	391	382	422	430
	3. Investigations					
	a) Criminal	2,013	1,610	1,505	1,754	1,788
	b) Pre-registrant	1,271	1,250	1,315	1,533	1,562
	c) Cyclic	816	809	844	844	860
	4. Permits & Declarations Issued for Legitimacy Manufactured Drugs					
	a) Import/Export Declarations	2,889	3,143	4,268	4,973	5,087
	b) Import/Export Permits	1,699	1,985	2,570	2,986	3,053
Intermediate Outcome	5. Procurement and Manufacturing Quotas	1,282	1,013	1,101	1,283	1,308
	6. Registrations Processed	261,089	341,387	328,573	383,033	390,284
	7. Arrests	428	352	444	518	527
	8. Assets Seized (\$m)	\$7.2	\$16.7	\$9.1	\$10.0	\$10.0
End Outcome	9. Orders to Show Cause	195	196	104	80	61
	10. Letters of Admonition	341	337	328	319	311
	11. Criminal and Civil Fines (\$ 000)	\$4,102.0	\$8,662.0	\$9,890.0	\$11,529.2	\$11,747.8
	12. Convictions	256	271	240	280	285

A. Definition of Terms or Explanation for Indicators:

1. Trends: Export permits and declarations are expected to continue increasing fairly steadily, but are not expected to increase significantly unless a new drug is added to CSA Schedule II.
2. Until the establishment of a budget for Drug Diversion, it was not necessary to keep separate statistics on Drug and Chemical Diversion work. Consequently, the Input Indicators, Criminal Investigations, Arrests, Seizures, Criminal and Civil fines include both Drug and Chemical Statistics. The remaining performance indicators reflect Drug Diversion Control only.

ORGANIZATIONAL GOAL 4: Analyze and disseminate intelligence information for use by DEA and other law enforcement agencies.						
PERFORMANCE INDICATOR INFORMATION						
Type of Indicator	Performance Indicators			PERFORMANCE TARGETS AND ACTUAL RESULTS		
	1993 Actual	1994 Actual	1995 Actual	1996 Estimate	1997 Estimate	
Input						
1. Intelligence Investigative Workhours						
a) Domestic Offices	238,403	219,288	194,897	173,181	153,909	
b) Foreign Offices	45,912	44,408	43,451	42,517	41,802	
c) Headquarters (excluding EPIC)	76,870	68,481	70,219	72,001	73,828	
d) EPIC	45,742	53,048	57,875	62,708	68,180	
2. EPIC Queries	568,822	535,674	408,483	308,450	234,059	
3. EPIC Lookouts	3,139	2,138	1,325	822	510	
4. Trafficker/Organization In-depth Analysis	11	8	7	6	5	
5. Strategic Reports	43	68	47	32	22	
6. Active SFIPs /1	30	22	22	22	22	
Intermediate Outcome /2						
End Outcome						
A. Definition of Terms or Explanation for Indicators:						
/1. The FY 1995 figures of 22 active SFIPs is not expected to change between now and the end of the fiscal year.						
/2. Intermediate and end outcomes are to be determined in the future.						

Drug Enforcement Administration
Salaries and Expenses
Financial Analysis--Program Changes
(Dollars in thousands)

Object Class	Discretionary Enforcement		Engrg Code Investigations		Drug & Chemical Control		Intelligence		Tech Operations		OSP and Information Systems		Inspection and Administration		Total	
	Pct.	Amount	Pct.	Amount	Pct.	Amount	Pct.	Amount	Pct.	Amount	Pct.	Amount	Pct.	Amount	Pct.	Amount
Grades																
GS-15	83	83,485	2	8125	8	8,486	14	8,798	...	...	...	...	...	...	84	94,061
GS-12	...	...	...	...	18	688	...	...	...	...	...	...	...	...	18	688
GS-11	14	378	1	37	6	162	...	...	...	...	...	...	...	...	21	567
Administratively Determined Pay																
Total Positions and Annual Sal	77	3,843	3	159	38	3,847	14	788	...	...	...	...	...	...	124	8,188
Lapses (1)	298	(1,828)	23	(78)	(18)	(784)	(7)	(264)	...	...	...	...	...	...	(87)	(3,146)
Other Personnel Compensation	7	343	...	...	...	...	...	...	...	...	...	...	...	...	7	343
Total Workyears and Personnel Compensation	48	2,361	1	88	18	882	7	384	...	...	...	...	...	...	66	3,225
Personal Benefits	857	...	204	...	178	...	118	...	...	...	...	...	...	...	84,048	8,291
Travel and Transportation of Persons	2,879	...	28	...	124	...	848	...	...	...	...	...	...	...	888	4,284
Transportation of Things	88	...	22	...	8	...	...	...	...	...	...	...	...	...	3,838	4,818
Gifts Recd	231	...	...	...	98	...	42	...	...	...	...	...	...	...	383	...
Gifts Paid	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...
Commodities and Utilities	1,788	...	18	...	131	...	687	...	...	...	...	...	...	...	2,118	2,118
Printing and Reproduction	18	...	1	...	1	...	1	...	...	...	...	...	...	...	27	...
Advisory and Assistance Services	288	...	8	...	13	...	77	...	...	...	...	...	...	...	305	845
Other Services	1,800	...	38	...	27	...	484	...	...	...	...	...	...	...	1,828	4,138
Provision of Goods and Services From Government	1,772	...	43	...	88	...	847	...	...	...	...	...	...	...	2,178	4,875
Travel and Transportation of Facilities	18	...	11	...	32	...	18	...	...	...	...	...	...	...	118	1,188
Medical Care	48	...	1	...	2	...	1	...	...	...	...	...	...	...	58	1,188
Medical Equipment	688	...	18	...	33	...	218	...	...	...	...	...	...	...	818	28,808
Operation and Maintenance of Equipment	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...
Replenishment and Repair	2,481	...	15	...	88	...	852	...	...	...	...	...	...	...	2,438	...
Equipment	2,888	...	148	...	881	...	17,874	...	...	...	...	...	...	...	21,888	...
Lease of Real Property	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...
Total Program FTE and Obligations	48	18,131	1	88	18	1,884	7	433	...	...	...	...	...	...	88	32,888

Drug Enforcement Administration
Salaries and Expenses
Status of Conventionally Requested
Studies, Reports, and Evaluations

House Report 104-378 relating to the Department of Justice Appropriations Act, 1996, requires that the Federal Bureau of Investigation, regarding Legal Attache offices, review its short and long term plan for expansion of its international operations and activities. The FBI international operations plan will be developed jointly by the Department of Justice and the Department of State and presented to and approved by the Committees on Appropriations of both the House and Senate.

The Drug Enforcement Administration (DEA) and the FBI will establish a Joint Legal Attache office in Beijing, China. Funds will not be expended by DEA until the Committees on Appropriations have approved the plan for FBI international operations.

**Drug Enforcement Administration
Salaries and Expenses
1997 Priority Ranking**

BASE PROGRAM		PROGRAM INCREASES	
Program	Ranking	Program	Ranking
Domestic Enforcement	1	Southwest Border Project	1
Foreign Cooperative Investigations	2	Replacement Bases	2
Drug and Chemical Diversion Control	3	Heroin Strategy	3
Intelligence	4	Communications Programs	4
Research, Engineering, and Technical Operations	5	ADP Systems	5
ADP	6		
Training	7		
Laboratory Services	8		
Management and Administration	9		

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Drug Enforcement Administration
Salaries and Expenses
Detail of Permanent Positions by Category
Fiscal Years 1985-1987
(Dollars in thousands)

CATEGORY	1985			1986			1987		
	Auth.	Revol.	Total	Auth.	Revol.	Total	Auth.	Revol.	Total
Advisory (600)	44	1	45	44	1	45	44	1	45
Other Legal and Judicial (600-609)	15	1	16	15	1	16	15	1	16
Legal Instruments Drafting Service (600)	20	1	21	20	1	21	20	1	21
General Investigative Service (600)	86	1	87	86	1	87	86	1	87
Criminal Investigative Service (601)	2,627	860	3,487	2,714	860	3,574	2,627	860	3,487
Intelligence Service (600)	75	1	76	75	1	76	75	1	76
Other Miscellaneous Occupations (601-609)	482	1	483	482	1	483	482	1	483
Intelligence Service (100-109)	10	1	11	10	1	11	10	1	11
General Administration, Criminal and Other Services (200-300)	1,872	247	2,119	1,880	247	2,127	1,872	247	2,119
Personnel Management (200-209)	80	1	81	80	1	81	80	1	81
Biological Sciences (200-209)	101	1	102	101	1	102	101	1	102
Accounting and Budget (200-209)	7	1	8	7	1	8	7	1	8
Medical, Dental and Public Health (200-209)	6	1	7	6	1	7	6	1	7
Engineering and Architecture Group (200-209)	10	1	11	10	1	11	10	1	11
Statistics and Arts Group (200-209)	10	1	11	10	1	11	10	1	11
Business and Industry Group (100-109)	10	1	11	10	1	11	10	1	11
Physical and Sciences Group (Other than Chemistry) (100-109)	10	1	11	10	1	11	10	1	11
Chemical Service (100)	207	1	208	207	1	208	207	1	208
Library and Archives Group (100-109)	3	1	4	3	1	4	3	1	4
Mathematics and Statistics Group (100-109)	10	1	11	10	1	11	10	1	11
Equipment, Facilities and Service Group (100-109)	40	1	41	40	1	41	40	1	41
Statistics Group (100-109)	22	1	23	22	1	23	22	1	23
Supply Group (200-209)	0	1	1	0	1	1	0	1	1
Transportation (200-209)	21	1	22	21	1	22	21	1	22
Unassigned (Other than Service Unit)	0	1	1	0	1	1	0	1	1
Total	5,371	1,000	6,371	5,371	1,000	6,371	5,371	1,000	6,371
U. S. Post	1,344	86	1,430	1,344	86	1,430	1,344	86	1,430
Foreign Post	5,027	914	5,941	5,027	914	5,941	5,027	914	5,941
Total	6,371	1,000	7,371	6,371	1,000	7,371	6,371	1,000	7,371

Drug Enforcement Administration
Salaries and Expenses
Summary of Attorney/Agent and Support Positions by Category
(Dollars in thousands)

APPROPRIATION POSITIONS

	1985 Appropriation						1987 Base					
	Agents	Attorneys	Support	Total	Agents	Attorneys	Support	Total	Agents	Attorneys	Support	Total
	Pos.	FTE	Pos.	FTE	Pos.	FTE	Pos.	FTE	Pos.	FTE	Pos.	FTE
Domestic Enforcement	1,219	1,140	...	...	632	628	1,280	1,778	...	...	...	...
Foreign Cooperative Investigations	314	342	...	...	147	147	141	159	...	...	...	...
Drug and Chemical Diversion Control	8	8	...	...	8	8	8	8	...	...	...	...
State and Local Task Forces	848	848	...	...	89	116	75	79	...	...	...	...
Intelligence	177	142	...	...	39	318	44	49	...	...	...	...
Laboratory Services	1	1	...	...	...	...	...	...	...	...	...	...
Training	79	79	...	...	31	31	119	109	...	...	...	...
Research, Engineering, and Technical Operations	108	140	...	...	225	224	344	382	...	...	...	...
Automated Data Processing	...	...	...	...	87	84	97	84	...	...	...	...
Management and Administration	43	81	44	44	44	44	44	44	...	...	...	...
TOTAL	2,714	2,862	44	44	2,813	2,797	4,771	5,243	2,348	2,138	44	2,530

REIMBURSABLE POSITIONS

	1985 Appropriation						1987 Base					
	Agents	Attorneys	Support	Total	Agents	Attorneys	Support	Total	Agents	Attorneys	Support	Total
	Pos.	FTE	Pos.	FTE	Pos.	FTE	Pos.	FTE	Pos.	FTE	Pos.	FTE
Domestic Enforcement	773	789	...	...	262	262	975	942	...	...	...	...
Foreign Cooperative Investigations	...	...	...	...	...	...	...	...	...	...	...	...
Drug and Chemical Diversion Control	...	...	...	...	...	...	...	...	...	...	...	...
State and Local Task Forces	14	14	...	...	30	30	44	44	...	...	...	...
Intelligence	...	...	...	...	...	...	...	...	...	...	...	...
Laboratory Services	...	...	...	...	...	...	...	...	...	...	...	...
Training	16	14	...	...	6	6	22	18	...	...	...	...
Research, Engineering, and Technical Operations	...	...	...	...	...	...	...	...	...	...	...	...
Automated Data Processing	...	...	...	...	3	3	3	3	...	...	...	...
Management and Administration	...	...	...	...	...	...	...	...	...	...	...	...
TOTAL	882	797	...	...	291	291	1,044	1,025	...	...	...	...

Drug Enforcement Administration
Salaries and Expenses
Summary of Attorney/Agent and Support Positions by Category (Continued)
(Dollars in thousands)

	1987 Personnel					1987 Personnel Level				
	Agents	Attorneys	Support	Ytd		Agents	Attorneys	Support	Ytd	
	Pos.	FTE	Pos.	FTE	Pos.	Pos.	FTE	Pos.	FTE	Pos.
APPROPRIATED PORTIONS										
Criminal Unit										
Criminal Enforcement	2	1	1	1	2	2	1	1	1	2
Foreign Operations	2	1	1	1	2	2	1	1	1	2
Drug and Chemical Enforcement	4	2	2	2	4	4	2	2	4	4
State and Local Task Forces	1	1	1	1	1	1	1	1	1	1
Intelligence	1	1	1	1	1	1	1	1	1	1
Laboratory Services	1	1	1	1	1	1	1	1	1	1
Training	1	1	1	1	1	1	1	1	1	1
Research, Engineering, and Technical Operations	1	1	1	1	1	1	1	1	1	1
Automated Data Processing	1	1	1	1	1	1	1	1	1	1
Management and Administration	1	1	1	1	1	1	1	1	1	1
TOTAL	16	10	10	10	36	16	10	10	36	36
Reimbursable Positions										
Estimates by Program										
Criminal Enforcement	773	388	388	388	773	773	388	388	773	773
Foreign Operations	1	1	1	1	1	1	1	1	1	1
Drug and Chemical Enforcement	1	1	1	1	1	1	1	1	1	1
State and Local Task Forces	1	1	1	1	1	1	1	1	1	1
Intelligence	1	1	1	1	1	1	1	1	1	1
Laboratory Services	1	1	1	1	1	1	1	1	1	1
Training	1	1	1	1	1	1	1	1	1	1
Research, Engineering, and Technical Operations	1	1	1	1	1	1	1	1	1	1
Automated Data Processing	1	1	1	1	1	1	1	1	1	1
Management and Administration	1	1	1	1	1	1	1	1	1	1
TOTAL	778	392	392	392	778	778	392	392	778	778

Drug Enforcement Administration
Salaries and Expenses
Summary of Changes
(Dollars in thousands)

	Perm. Pos.	FTE	Amount
1996 Conference Allowance			
Adjustments in FTE	5,571	6,463	\$745,966
Transfer to Drug Diversion Control Fee Account		(150)	...
1996 Appropriation Anticipated			(15,000)
Adjustments to Base:	5,571	6,343	730,966
Transfers to and from other accounts:			
Drug Diversion Control Fee Account: Reverse annual transfer			15,000
State and Local Task Forces from S&E	(726)	(724)	(91,051)
Base Resources from VCRP	83	68	32,944
Mail Management Redistribution			(111)
Total, Transfers	(645)	(656)	(43,215)
Increases:			
Annualization of 1995 Congress Action		152	16,200
Annualization of 1996 Positions		15	1,245
1997 Pay Raise and Locality Pay Adjustment			8,916
Annualization of 1996 Locality Pay			1,209
Annualization of 1996 Pay Raise			3,071
Foreign Allowance			134
Accident Compensation			665
Travel Mile, Allowance Rate			52
GSA Rent			2,712
Commerce Business Daily			1
DAS			10,872
General Pricing Level Adjustment			3,136
Total, Increases		167	48,003
1997 Base	4,926	4,854	736,453
Program Changes	124	62	82,585
1997 Estimate	5,050	4,916	\$819,038

Drug Enforcement Administration
Salaries and Expenses
Justification of Adjustments to Base
(Dollars in thousands)

Posn.	FTE	Amount
Posn.	FTE	Amount

Transfers to and from other accounts:

1	Reverse Diversion Transfer.....	...	...	\$18,000
2	State and Local Tax Refund.....	(729)	(729)	(91,051)
3	State and Local Tax Refund.....	62	62	32,716
4	State and Local Tax Refund.....	(629)	(629)	(32,716)
	Total, Transfers.....	(696)	(696)	(93,319)

Increment:

1 Accumulation of 132 FTE approved in 1985.
 In the 1985-1986 fiscal year, 132 FTE positions were approved in the Drug Enforcement Administration. This includes 100 FTE positions approved in 1985 for Domestic Enforcement, State and Local Tax Refund, and Laboratory Services, and 32 FTE positions approved in 1985 for Management and Administration. The increase in - salaries consisted of 311 Special Agents, 29 Intelligence Analysts, 14 Chemists, 4 Probation/Parole Officers, and 78 Clerical.

2 Accumulation of 30 positions approved in 1986.
 This provides for accumulation of 30 additional positions approved in the President's Budget for Fiscal Year 1987. The 30 positions have been transferred from the VCHP.

	Approved 1985 FTE	Amount 1985 \$
Annual rate of 30 approved positions.....	30	\$21,000
Less: 1985 rate (20 percent).....	(6)	(6,000)
Other Personnel Compensation.....	24	225,000
Net Compensation.....	1,124,000	1,040,000
Accumulated Employee Benefits.....	179,000	146,800
Total.....	1,303,000	1,186,800
Other Personnel Compensation.....	4,000	4,000
Net Compensation.....	81,000	81,000
Accumulated Employee Benefits.....	19,000	19,000
Other Services.....	403,000	403,000
Supplies and Materials.....	4,000	4,000
Expenses.....	1,490,000	1,490,000
Total Costs Subject to Accumulation.....	3,496,000	3,496,000

**Drug Enforcement Administration
Salaries and Expenses
Justification of Adjustments to Base (Continued)**
(Dollars in thousands)

	Perm. Pos.	FTE	Amount
3 1987 Pay Rates and Locality Pay Adjustment This request provides for the proposed 3.0 percent pay rates and locality pay adjustment to be effective in January 1987 and is consistent with Administration policy included in the 1987 President's Budget Request. The amount requested, \$6,916,000, represents the pay amounts for three-quarters of the fiscal year plus appropriate benefits (\$6,341,000 for pay and \$2,575,000 for benefits = \$6,916,000).	\$6,916
4 Accumulation of 1986 Locality Pay Adjustment This adjustment represents the 1st quarter amounts of the locality pay increases provided January 1986, plus appropriate personnel benefits.	1,308
5 Accumulation of 1986 Pay Rates The pay rates increase requested for 1986 is 2.4 percent effective January 1986, plus appropriate personnel benefits and the additional amount required above the 2.4 percent originally requested for the three-quarters of the year \$2,160,000 for pay and \$817,000 for benefits.	9,871
6 Foreign Allowance Adjustment for Government employees in foreign areas as determined by the Department of State (DOS). The requested amount of \$11,000 provides a 2.1 percent increase over the obligation of \$4,323,000 which are projected for 1986.	134
7 Assistant Commissioner This increase reflects the billing provided by the Department of Labor (DOL) for the initial needs in 1986 of employer/assistant compensation. The 1986 amount will be \$8,398,500.	868
8 Travel Mile Allowance Rate The mileage allowance rate has increased from 25 to 30 cents per mile. An increase of \$82,000 is requested in 1987 to cover this rate adjustment.	82
9 General Services Administration (GSA) Fund GSA will continue to charge total rates for representative travel charges to covered salaries for 1987. The total amount requested for 1987 is \$3,712,000. This amount is requested to cover the cost of the information system, which uses the latest inventory data and GSA-provided 1986 rates.	\$3,712

Drug Enforcement Administration
Salaries and Expenses
Summary of Requirements by Grade and Object Class
(Dollars in thousands)

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Drug Enforcement Administration
Salaries and Expenses
Summary of Requirements by Grade and Object Class (Continued)
 (Dollars in thousands)

Country Code	1997	1998	1999	2000	2001	2002	2003	2004	2005	2006	2007	2008	2009	2010	2011	2012	2013	2014	2015	2016	2017	2018	2019	2020	2021	2022	2023	2024	2025	2026	2027	2028	2029	2030	2031	2032	2033	2034	2035	2036	2037	2038	2039	2040	2041	2042	2043	2044	2045	2046	2047	2048	2049	2050	2051	2052	2053	2054	2055	2056	2057	2058	2059	2060	2061	2062	2063	2064	2065	2066	2067	2068	2069	2070	2071	2072	2073	2074	2075	2076	2077	2078	2079	2080	2081	2082	2083	2084	2085	2086	2087	2088	2089	2090	2091	2092	2093	2094	2095	2096	2097	2098	2099	2100	2101	2102	2103	2104	2105	2106	2107	2108	2109	2110	2111	2112	2113	2114	2115	2116	2117	2118	2119	2120	2121	2122	2123	2124	2125	2126	2127	2128	2129	2130	2131	2132	2133	2134	2135	2136	2137	2138	2139	2140	2141	2142	2143	2144	2145	2146	2147	2148	2149	2150	2151	2152	2153	2154	2155	2156	2157	2158	2159	2160	2161	2162	2163	2164	2165	2166	2167	2168	2169	2170	2171	2172	2173	2174	2175	2176	2177	2178	2179	2180	2181	2182	2183	2184	2185	2186	2187	2188	2189	2190	2191	2192	2193	2194	2195	2196	2197	2198	2199	2200	2201	2202	2203	2204	2205	2206	2207	2208	2209	2210	2211	2212	2213	2214	2215	2216	2217	2218	2219	2220	2221	2222	2223	2224	2225	2226	2227	2228	2229	2230	2231	2232	2233	2234	2235	2236	2237	2238	2239	2240	2241	2242	2243	2244	2245	2246	2247	2248	2249	2250	2251	2252	2253	2254	2255	2256	2257	2258	2259	2260	2261	2262	2263	2264	2265	2266	2267	2268	2269	2270	2271	2272	2273	2274	2275	2276	2277	2278	2279	2280	2281	2282	2283	2284	2285	2286	2287	2288	2289	2290	2291	2292	2293	2294	2295	2296	2297	2298	2299	2300	2301	2302	2303	2304	2305	2306	2307	2308	2309	2310	2311	2312	2313	2314	2315	2316	2317	2318	2319	2320	2321	2322	2323	2324	2325	2326	2327	2328	2329	2330	2331	2332	2333	2334	2335	2336	2337	2338	2339	2340	2341	2342	2343	2344	2345	2346	2347	2348	2349	2350	2351	2352	2353	2354	2355	2356	2357	2358	2359	2360	2361	2362	2363	2364	2365	2366	2367	2368	2369	2370	2371	2372	2373	2374	2375	2376	2377	2378	2379	2380	2381	2382	2383	2384	2385	2386	2387	2388	2389	2390	2391	2392	2393	2394	2395	2396	2397	2398	2399	2400	2401	2402	2403	2404																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																	
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DRUG ENFORCEMENT ADMINISTRATION
Salaries and Expenses
Schedule of Domestic Motor Vehicles

Method of Acquisition and Type of Vehicle	1984 End- of-Year			1985			1986			1987		
	Inventory	Acquired	Disposed	Acquired	Disposed	End of Year	Acquired	Disposed	End of Year	Average Cost	Acquired	Disposed
Direct Purchase:	30	...	...	30	...	30	...	...	30	...	...	30
Large Sedan	1,240	...	...	2,240	...	2,400	...	...	2,400	...	...	2,400
Medium Sedan	800	175	90	710	...	710	...	...	710	...	...	710
Subcompact Sedan	30	...	...	30	...	30	...	...	30	...	...	30
Subcompact Sedan	...	...	...	...	...	...	...	...	...	...	...	...
Small Sedan	30	...	...	30	...	30	...	...	30	...	...	30
Station Wagon	41	40	1	80	...	80	...	...	80	...	...	80
Van	...	...	...	...	...	...	...	...	...	...	...	...
Bus	...	...	...	...	...	...	...	...	...	...	...	...
4-wheel Drive	211	40	11	240	...	240	...	...	240	...	...	240
Special Purpose:	...	...	...	...	...	...	...	...	...	...	...	...
Jeep	...	...	...	...	...	...	...	...	...	...	...	...
Jeep	...	...	...	...	...	...	...	...	...	...	...	...
Other	71	...	...	70	...	70	...	...	70	...	...	70
Truck:	...	...	...	...	...	...	...	...	...	...	...	...
Truck	7	6	3	10	...	10	...	...	10	...	...	10
Other	...	...	...	...	...	...	...	...	...	...	...	...
Subtotal Purchased	2,054	641	340	3,355	640	3,354	679	679	3,354	679	679	3,354
Leased:	...	...	...	...	...	...	...	...	...	...	...	...
Jeep	6	21	6	21	...	21	...	...	21	...	...	21
Jeep	...	...	...	...	...	...	...	...	...	...	...	...
Subtotal or not used assets:	...	...	...	...	...	...	...	...	...	...	...	...
Leased:	...	...	...	...	...	...	...	...	...	...	...	...
Large Sedan	3	...	...	1	...	1	...	...	1	...	...	1
Medium Sedan	...	...	...	...	...	...	...	...	...	...	...	...
Large Sedan	270	61	130	100	130	100	100	100	200	...	100	200
Medium Sedan	733	86	143	600	...	600	...	...	600	...	...	600
Other	...	...	...	...	...	...	...	...	...	...	...	...
Subtotal Leased	1,013	117	273	827	130	827	130	130	827	130	130	827
TOTAL VEHICLES	3,067	758	613	4,182	770	4,182	809	809	4,182	809	809	4,182

DRUG ENFORCEMENT ADMINISTRATION
Schedule of Assets and Expenses
Schedule of Foreign Motor Vehicles

Method of Acquisition and Type of Vehicle	1984			1985			1986			1987		
	1984 End- of-Year Inventory	Acquired	Disposed	1985 End- of-Year	Acquired	Disposed	1986 End- of-Year	Acquired	Disposed	1987 End- of-Year	Acquired	Disposed
Direct Purchase:												
Large Sedan	79	6	...	84	...	...	84	...	...	84	...	...
Medium Sedan	61	...	4	87	...	6	87	...	...	87	...	...
Compact Sedan	...	...	...	...	...	...	...	...	...	...	...	...
Subcompact Sedan	...	...	...	...	...	...	...	...	...	...	...	...
Small Sedan	...	...	...	...	...	...	...	...	...	...	...	...
Station Wagon	...	...	...	...	...	...	...	...	...	...	...	...
Van	...	...	...	...	...	...	...	...	...	...	...	...
Van	...	...	...	...	...	...	...	...	...	...	...	...
4-Wheel Drive	190	58	15	287	...	...	287	...	...	287	...	...
Special Purpose	...	...	...	...	...	...	...	...	...	...	...	...
Sedan	...	...	...	...	...	...	...	...	...	...	...	...
4-Wheel Drive	7	...	...	7	...	...	7	...	...	7	...	...
Other	...	...	...	...	...	...	...	...	...	...	...	...
Truck	...	...	...	...	...	...	...	...	...	...	...	...
Truck	...	...	...	...	...	...	...	...	...	...	...	...
Other	...	...	...	...	...	...	...	...	...	...	...	...
Subtotal Purchased	345	38	17	387	6	6	387	4	387	4	387	...
Leased:												
Medium	...	...	...	...	...	...	...	...	...	...	...	...
Rebid or not bid assets:												
Leased	...	...	...	...	...	...	...	...	...	...	...	...
Large Sedan	...	...	...	...	...	...	...	...	...	...	...	...
Medium Sedan	...	...	...	...	...	...	...	...	...	...	...	...
Other	...	...	...	...	...	...	...	...	...	...	...	...
Subtotal Leased	6	...	...	...	...	...	...	...	...	...	...	...
TOTAL VEHICLES	351	38	17	391	6	6	391	4	391	4	391	...

DRUG ENFORCEMENT ADMINISTRATION
Series and Expenses
Schedule of Aircraft

Method of Acquisition and Type of Aircraft	1984 End- of-Year Inventory	1985			1986			1987		
		Acquired	Disposed	End-of- Year	Acquired	Disposed	End-of- Year	Acquired	Disposed	End-of- Year
Direct Purchase:										
Fixed Wing:										
Single Engine	22	...	7	15	...	...	15	8	...	23
Multi-Engine	13	...	2	11	...	2	13	...	...	13
Helicopter:										
Single Engine	5	...	...	6	...	...	6	1	...	6
Multi-Engine	6	...	...	6	...	...	6	...	...	6
Subtotal Purchased	46	...	9	37	2	...	39	9	...	48
Leased:										
Fixed Wing	...	...	...	...	...	...	...	...	...	...
Multi-Engine	...	...	...	...	...	...	...	...	...	...
Subtotal Leased	...	...	...	...	...	...	...	...	...	...
Seized or no cost access:										
Fixed Wing:										
Single Engine	13	...	2	11	...	...	11	...	8	3
Multi-Engine	35	...	1	34	...	...	23	...	...	23
Helicopter:										
Single Engine	5	...	...	5	...	1	5	...	1	4
Twin Engine	...	...	...	...	...	...	1	...	...	1
Subtotal Seized	53	...	3	50	1	...	40	...	9	31
Military:										
Fixed Wing	4	...	4	...	...	1	...	...	...	...
Helicopter	10	...	...	10	...	2	8	...	...	8
Subtotal Military	14	...	4	10	1	3	8	...	...	8
TOTAL AIRCRAFT	113	...	16	97	4	14	87	9	9	87

Drug Enforcement Administration
Salaries and Expenses
Justification of Multi-Activity Program Changes
(Dollars in thousands)

	Budgetary Control			Drug Enforcement			Communications			ADP Systems			Total		
	Pos.	FTE	Amount	Pos.	FTE	Amount	Pos.	FTE	Amount	Pos.	FTE	Amount	Pos.	FTE	Amount
Current Activities/Programs															
Executive Management	77	36	\$14,131										77	36	\$14,131
Foreign Corruption Investigations															
Drug and Chemical Detection Control	30	15	2,394										30	15	2,394
Drug and Chemical Test Panels															
Intelligence	14	7	4,333										14	7	4,333
Laboratory Services															
Training															
Research, Engineering, and Technical Operations															
ADP															
Management and Administration															
Total	121	68	\$24,058										121	68	\$24,058

Department of Justice
Drug Enforcement Administration
Violent Crime Reduction Program
Estimates For Fiscal Year 1997

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**Drug Enforcement Administration
Violent Crime Reduction Program**

Summary Statement

The FY 1997 Violent Crime Reduction Program (VCRP) was created from resources justified in the FY 1996 Salaries and Expenses appropriation request and from residual funds appropriated in the Violent Crime Reduction Program in FY 1986. To create a cohesive violent crime control program consistent with the provision of the Violent Crime Control and Law Enforcement Act of 1994, DEA is requesting to redirect the entire State and Local Task Force Decision Unit into the VCRP, move non-violent crime related initiatives funded in the FY 1996 VCRP appropriation back to the Salaries and Expenses appropriation, and fund a small number of urgently needed law enforcement support initiatives from the VCRP.

DEA is requesting 841 positions, 890 FTE, and \$138,000,000 from the Violent Crime Reduction Trust Fund. This represents an increase of 93 positions, 48 FTE, and \$19,615,000 over an adjusted FY 1997 base. This increase will strengthen DEA's very successful Mobile Enforcement Team (MET) Program, as well as provide a portion of the funds needed for DEA's Replacement Bases and Laboratory Restoration Initiatives. These funds will provide for a minimum necessary number of law enforcement vehicles and urgently needed restoration and repair of degraded laboratories.

Violence In America

America is reeling from the impact of drugs and drug-related violence on the quality of life of our citizens. Over the past three decades, crime and violence has shredded the social fabric of our communities and schools. Our nation's children are the most frequent victims of violent crime. We are witnessing a sharp increase in violent crime among adolescents and demographic data suggests that these alarming trends will continue. The population explosion that the United States is experiencing will mean that by the year 2005, there will be more adolescents in the United States than at any time in our history.

Emerging violent gangs pose a major threat to law abiding citizens, and hold many of our communities hostage through fear and intimidation. The challenge to federal, state, and local law enforcement has never been more compelling. Gangs have flourished along with the proliferation of drugs. Profits from drug sales have financed arsenals that rival any metropolitan police force. In rural areas, many law enforcement entities are simply outgunned. Today's violent gangs have advanced from unstructured, undisciplined groups into sophisticated criminal organizations, capable of inflicting death and injury on a hapless public. These gangs know no boundaries and now operate inter- and intra-state trafficking operations. The attendant violence these gangs foster has prompted state and local law enforcement to request federal law enforcement assistance.

DEA is Meeting The Challenge

DEA's State and Local Task Forces have long provided an essential link between state law enforcement efforts and federal law enforcement resources. DEA's Mobile Enforcement Teams were established to address the immediate needs of local law enforcement's effort to combat drug-related violence. These two programs provide 728 Special Agents and 213 investigative support personnel to fight local drug trafficking and drug-related violence. DEA has over 89 Task Forces formally established across the country and currently fields 18 Mobile Enforcement Teams of 10-12 Special Agents each. These federal resources have assisted state and local enforcement and resulted in the solution of drug-related homicide cases, valuable intelligence, significant numbers of successful investigations and an improvement of the quality of life in many communities.

DEA's 1997 Request For Enhancements

Mobile Enforcement Teams - \$5.9 Million:

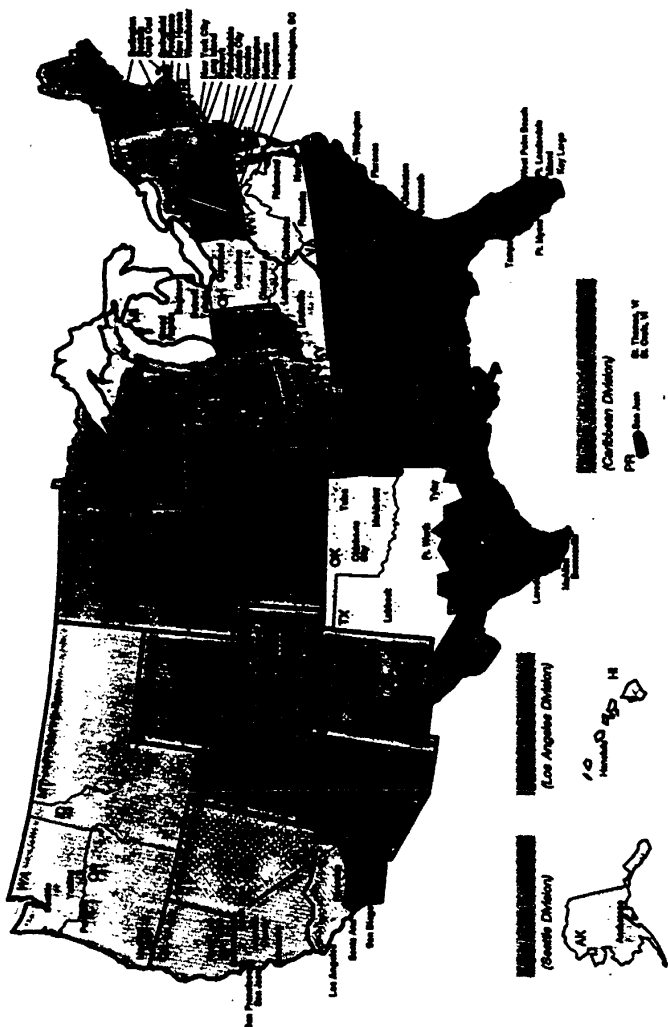
DEA is requesting resources to provide MET Special Agents and support staff to 20 DEA Domestic Field Offices. This initiative will put 60 more Special Agents on the street. Support staff and operational funding will ensure that these investigative resources will be available to assist beleaguered local law enforcement in rural as well as suburban communities.

Replacement Buses - \$6.7 Million:

DEA is requesting funds to replace aging vehicles by establishing a cost effective vehicle replacement cycle. Funds available for this purpose have eroded over the years as funding was diverted piecemeal to urgent law enforcement requirements.

Laboratory Restoration - \$7.0 Million:

DEA is requesting funds over three years to repair and replace inadequate and deteriorating laboratories across the country. Growing workload, evolving environmental standards, and deteriorating facilities have contributed to a crisis at DEA laboratories. Unsafe conditions exist now, and must be remedied. Stop gap measures have simply delayed the inevitable requirement to restore, renovate, or move depleted facilities.



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DRUG ENFORCEMENT ADMINISTRATION
Violent Crime Reduction Program
Justification of Proposed Changes in Appropriation Language

The 1997 budget estimates includes proposed changes in the appropriation language listed and explained below. New language is underscored.

Violent Crime Reduction Program

For activities authorized by section 180104 of the Violent Crime Control and Law Enforcement Act of 1994 (P.L. 103-421), as amended, and for the purchase of equipment and supplies for police departments, an amount is authorized in this title, \$138,000,000, to be derived from the Violent Crime Reduction Trust Fund and is available until expended.

Note--A regular 1999 appropriation for this account had not been enacted at the time this budget was prepared. The 1999 amounts included in this budget are based on the levels provided in three continuing resolutions: P.L. 104-61, P.L. 104-62, and P.L. 104-69.

DRUG ENFORCEMENT ADMINISTRATION
Violent Crime Reduction Program
Crosswalk of 1998 Changes
(Dollars in thousands)

Activity/Program: Enforcement of Federal Laws and Investigations:	1998 President's Budget Request			Congressional Appropriation Action on 1998 Request 1/			1998 Appropriation Anticipated		
	Pos.	FTE	Amount	Pos.	FTE	Amount	Pos.	FTE	Amount
	83	68	\$12,000	120	120	\$48,000	203	188	\$80,000
TOTAL	83	68	12,000	120	120	48,000	203	188	80,000

1/ Congressional Action: Congress redirected 120 positions, 120 workyears and increased the Violent Crime Reduction Program base by \$48,000,000.

DRUG ENFORCEMENT ADMINISTRATION
Violent Crime Reduction Program
Summary of Requirements
(Dollars in thousands)

Adjustments to Base:	Perm. Pos.	FTE	Amount
1986 Appropriation Anticipated.....	203	186	860,000
Transfers to and from accounts:			
Transfer of State and Local Test Force Decision Unit.....	728	724	91,061
Transfer of Base Resources to Salaries and Expenses.....	(83)	(86)	(32,944)
Mandatory Increases.....	...	...	278
1987 Base.....	848	844	118,366
Program Changes.....	53	46	19,818
1987 Estimate.....	941	860	139,000

	1986			1987 Base			1987 Estimate			Increase/Decrease		
	Perm. Pos.	FTE	Amount	Perm. Pos.	FTE	Amount	Perm. Pos.	FTE	Amount	Perm. Pos.	FTE	Amount
Estimates by budget activity												
Enforcement.....	203	186	860,000	848	844	118,366	841	860	139,000	53	46	19,818
Total.....	203	186	860,000	848	844	118,366	841	860	139,000	53	46	19,818
Reimbursable Workyears	...	...	...	...	...	...	...	...	...	...	...	...
Total Workyears	186	...	...	844	...	...	860	...	...	...	46	...
Other Workyears:												
Holiday.....	3	...	...	35	...	...	36	...	...	...	...	...
Overtime:												
Availability.....	17	...	...	178	...	...	185	...	...	7	...	...
Other.....	2	...	...	15	...	...	15	...	...	...	...	...
Total Compensable Workyears	210	...	...	1,072	...	...	1,126	...	...	...	53	...

**Drug Enforcement Administration
Violent Crime Reduction Program
Program Performance Information
Government Performance and Results Act Requirements**

Mission: The Drug Enforcement Administration serves as our nation's lead agency in combating illicit drugs and related activities.

Organizational Goal:

1. Combat drug-related violent crime in conjunction with state and local law forces.

Major Objectives:

1. Reduce the level of organized drug-related gang violence.
2. Provide base funding for DEA's motor vehicle fleet.
3. Provide base funding to refurbish DEA's laboratory facilities.

**Drug Enforcement Administration
Violent Crime Reduction Program
Program Performance Information
(Dollars in Thousands)**

ACTIVITY: ENFORCEMENT

	Perm. Pos.	FTE	Amount
Violent Crime Reduction Program			
1996 Availability	203	188	\$ 60,000
1997 Base	848	844	118,388
1997 Estimate	841	890	138,000
Increase/Decrease	93	46	19,615

LONG-RANGE GOAL: Ensure a maximum contribution to state and local law enforcement and foster intergovernmental improved cooperation to reduce drug availability and immobilize major drug trafficking organizations at all levels.

BASE PROGRAM DESCRIPTION:

State and Local Task Force

The State and Local Task Force Program effectively enlists the resources and support of state and local law enforcement agencies in federal drug enforcement efforts. The task force program assists in fulfilling DEA's responsibility to provide a diverse, creative, and all-encompassing federal response to the multi-faceted and complex drug problem. Through their coordination, DEA Special Agents and state and local law enforcement personnel enhance the quality of drug investigations and prosecutions.

The program expends the work force under DEA's supervision; provides state and local officers with special equipment and conveyances when needed for DEA undercover operations; contributes substantial intelligence to DEA's data bases; and achieves enhanced cooperation with local banks, thus improving DEA's ability to obtain emergency flash rolls and temporary storage of funds.

Mobile Enforcement Teams (MET)

The MET program was established on the premise that DEA is a resource that can assist local law enforcement with additional personnel and resources to penetrate violent gangs and local trafficking organizations. The program was developed through:

discussions with law enforcement executives and organizations representing chiefs of police and sheriffs across the country. The program places DEA in a supportive role in investigations that are targeted by state and local agencies based on their own local priorities. The mission of the METs is to dismantle drug organizations by securing the conviction and incarceration of those individuals dealing drugs and causing violence in these communities.

DEA's Mobile Enforcement Teams are specifically designed to deal with the most violent and dangerous elements of drug trafficking--organized violent drug trafficking organizations. Recently, three cities can attest to the effectiveness of these teams.

The Houston MET pursued investigations of gang-related violence, including 26 juvenile murders in Galveston, Texas. The deployment resulted in the arrest of 104 defendants, 37 for violent offenses. Local law enforcement executives characterized the MET deployment as the most significant factor in reducing violence in Galveston County.

The Atlanta MET was requested to combat escalating gang violence in the Bowdoin, Georgia public housing projects. The deployment resulted in the arrest of 81 defendants, including a police officer who had been protecting the drug trafficking organization in that area.

The Chief of Police of Selma, Alabama requested a deployment from the New Orleans MET to deal with a significant increase in crack trafficking and drug-related homicides, coupled with a 44 percent increase in drug-related robberies. The deployment resulted in 17 arrests and what city officials characterized as the return of normalcy to Selma.

These deployments are described in more detail in the MET Initiative justification below.

INITIATIVE

State and Local Programs
Mobile Enforcement Teams

Perm. Pos.	FTE	Amount
93	46	\$8,900

Proposed Actions

This Initiative seeks to address the following objectives:

- 1) To reduce drug-related violence in the United States through cooperative enforcement efforts with state and local law enforcement agencies.
- 2) To dismantle drug organizations by securing the conviction and incarceration of these individuals dealing drugs and causing violence in these communities.
- 3) To leave behind a more diversified corps of state and local law enforcement officers, firmly established lines of communication between local and federal law enforcement, and a point of contact for future crises.

Mobile Enforcement Teams (MET)

DEA requests 93 positions (60 Special Agents) and \$8,900,000 to continue the attack on drug-related violent crime on our nation's urban streets and rural neighborhoods. This Initiative builds on the existing Mobile Enforcement Teams (MET) established last year to address the growing threat of drug-related violence. MET deployments have proven the benefits of federal law enforcement assistance to state and local law enforcement organizations beleaguered by drug violence. MET deployments are initiated upon the invitation of local law enforcement when these criminal gangs test their capacity to deal with a well armed and sophisticated criminal element.

Without a MET team in each field division, DEA would be unable to effect the high rate of drug-related violence in communities that urgently need and are requesting help. DEA would lack a fully coordinated effort to address street-level violent drug crime that has permeated this country over the past decade. This violence affects the lives and livelihood of the people living in communities across the country. The major beneficiaries of the MET program are the residents of these communities and their law enforcement organizations. Currently, 18 dedicated METs with approximately 10-12 Special Agents assigned to each team are strategically based in selected DEA divisions across the country.

Because of recent successes, requests for MET deployments have increased dramatically. The program's success to date can be measured by the number of requests for MET deployments already received from state and local law enforcement agencies. DEA has received more than 100 requests, but due to constrained resources has only been able to make approximately 45 deployments. If DEA does not receive funding to fully implement the MET program, many areas of the country would not be able to benefit from the program. Demand for MET deployments come from state and local law enforcement agencies, therefore, without additional resources, DEA will be forced to continue to ration its effort and deny assistance to local law enforcement urgently needing help.

Addressing Violent Drug Crimes in Communities

Emerging violent gangs pose a growing threat, holding many of our communities hostage through fear, murder, and intimidation. The primary reason for the proliferation of these gangs and their violence is drugs. Today's violent gangs have advanced from unstructured, undisciplined groups into sophisticated criminal organizations, capable of inflicting considerable harm on the public. These gangs know no boundaries and operate both intra- and inter-state. In order to combat these drug gangs the drug trafficking organizations that support them, and the attendant violence which they foster, DEA has initiated a variety of measures which have served to coordinate investigations of violent drug trafficking groups.

In 1995, DEA initiated the MET program on the premise that DEA is a resource that can assist local law enforcement with additional personnel and resources to penetrate gangs and trafficking organizations. The MET program was developed through discussions with law enforcement executives and organizations representing chiefs of police and sheriffs across the country. The program placed DEA in a supportive role in investigations that are targeted by state and local agencies based on their own local priorities. In many cases, local law enforcement is unable to meet the demands of rising crime and limited resources.

The mission of the METs is to assist state and local law enforcement in dismantling drug organizations by securing the conviction and incarceration of those individuals dealing drugs and causing violence in these communities. MET teams are mobile—giving them the flexibility to travel to the jurisdiction that has requested their assistance, and allowing a temporary infusion of federal resources where they are most needed. The teams respond to drug-related violence in various communities upon invitation from local law enforcement authorities, who in many instances, are unable to cope with particularly violent or well organized groups. The state and local authorities often supply valuable leads while DEA provides broader intelligence, investigative expertise, and technology which is frequently beyond the resources of the local authorities. This "marriage" of skills has proven extremely successful in developing cases which dislodge violent drug offenders from these communities.

Mobile Enforcement Teams are deployed subject to available resources and as requests for their services are received and can be evaluated. Requests normally come from state officials or local chiefs of police to the DEA Special Agent in Charge (SAC). A DEA group supervisor then travels to the area to assess the drug trafficking situation and associated problems, and discusses the situation with local law enforcement personnel. The group supervisor assesses the operational needs, the time needed to resolve the problem, and estimates the operating and purchase of evidence and purchase of information (PI/MI) costs. DEA also evaluates and coordinates the potential services other federal agencies in the vicinity. The SAC then decides what MET resources are to be deployed.

In addition to providing resources, DEA's involvement in an investigation allows the Federal Grand Jury to be used. Federal Agents can use the Grand Jury to call witnesses, who testify in secret proceedings so that cases can be built without alerting the targets of an investigation. In building a case, each witness provides pieces of information, which when put together, depict a pattern of behavior. In most instances, the head of a criminal organization will not actually sell the drugs himself; he will rather buy weapons, houses or cars not conduct retaliatory shootings, murders, or beatings. He usually has members of the organization do his bidding.

In a state court, if police do not apprehend a suspect with drugs in his possession, the suspect cannot be charged with possession. Using federal laws, however, investigators can piece together a case using evidence such as surveillance of drug purchases made from members of the organization, evidence from homicide and assault cases, and examples of outrageous expenditures of money (e.g. dog fights, gambling trips, etc.). When the evidence is placed together, a jury can see that the head of an organization is controlling all of the movements of that organization.

Additionally, in state courts, drug sentences of 8-10 years usually translate into less than 18 months of actual jail time. In contrast, in federal court, when a pattern of drug distribution, extravagant lifestyle, and wholesale and capricious violence is demonstrated to the court, many members of an organization routinely get 30 years to life sentences. In the federal system, there is no parole—a life sentence means a life sentence.

DEA, as a federal agency, is also able to offer protection to witnesses who are, in most cases, afraid to testify. Violent traffickers use force as reprisal against those who cross them in drug deals. As traffickers get away with random acts of violence, they become emboldened and continue to terrorize communities.

At the end of a MET deployment, DEA remains available to the locality for further assistance or advice. In addition, local law enforcement can utilize the on-the-job training received from the METs, specifically investigative techniques and a better understanding of what will be needed for federal prosecutions, to initiate better cases. Several of these cases involve drugs, violence, intimidation and money laundering—which can be built into significant federal prosecutions. The MET team leaves behind more diversified officers, firmly established lines of communication between local and federal law enforcement, and points of contact for future crises.

DEA has received expressions of appreciation for its efforts in attacking violent drug traffickers from both the law enforcement community and the residents within the affected communities. Other programs that tie in with the MET Initiative are the "Weed and Seed" and "Cops on the Beat" Programs. These programs entail federal entities dedicating resources to work closely with state and local law enforcement officers to make an impact on street-level violent crime. These grass-roots efforts have allowed communities to "take back their streets". The MET concept goes a step further in that the streets are not only taken back, but the drug element is eliminated at the highest level; this is done utilizing informants, undercover techniques, surveillance, electronic eavesdropping, and intelligence.

Mobile Enforcement Teams Are Getting Results

Examples of three of the 45 successful MET deployments that have resulted in a dramatic decrease in drug-related violence:

Galveston County, Texas, experienced the homicide of 26 juveniles during 1994. These homicides ranked Galveston County as the number one county in the state of Texas for the murder of juveniles (per capita population). The Galveston County Sheriff's Department attributed this homicide rate to the drug trafficking problems caused by three street gangs operating in the area--factions of the L.A. gangs "Bloods" and "Crips," and one Chicago gang "the Latin Kings." The Houston MET identified the two sources of supply to these violent gangs and then dismantled those organizations. The Houston MET arrested 104 defendants, 37 of whom were arrested for violent activities including murder, attempted murder, deadly conduct, and aggravated assault with a firearm. One of the murders that the MET solved was that of a judge's son who was implicated in gang activity. A news conference was held by 10 law enforcement executives from Galveston County to show support for the MET deployment. All of these executives expressed their belief that the MET deployment significantly reduced violence in the Galveston County area.

The Chief of Police in Bowdon, Georgia, requested a deployment from DEA's Atlanta Field Division to address the escalating violence and crack dealing occurring in the city's three housing projects. The surge in crack cocaine distribution was being controlled by a gang of young people in these housing projects. An assessment concluded that drug trafficking, assaults, and robberies had increased in that city; in addition, a police officer was suspected of protecting the targeted drug trafficking organization. The MET made a total of 81 arrests in Bowdon, including the arrest of the involved police officer.

The New Orleans MET was requested to assist with the significant increase in the trafficking of crack and drug-related violence in ~~St. Louis and the surrounding county of Dallas, Alabama~~. In the past year, there had been nine drug-related homicides and a 44 percent increase in drug-related robberies. The MET was able to determine that the targeted organization distributed between 35- and 45-kilograms of crack cocaine per month in the Selma, Alabama area. The deployment concluded with the arrest of 17 defendants. The arrest of 17 people for drug trafficking in such a small community made a significant improvement in the quality of life for the residents of this county.

INITIATIVE

Per m.	Est.	FTE	Amount
...	\$ 6,715

Replacement Issues
Motor Vehicles

Proposed Actions

This initiative seeks to address the following objective:

1. To provide DEA investigative personnel with safe and reliable vehicles to conduct investigative operations.
2. To provide the optimal necessary space for the agency's work force and ensure the overall safety and mandated standards of quality for DEA facilities.

Major Vehicle Replacement

DEA is requesting \$6,715,000 to replace aging vehicles and restore funds to maintain a cost effective vehicle replacement cycle. Over the years, DEA's ability to replace its fleet has been eroded by the practice of apportioning resources off to pay for mandatory cost increases in other areas and to pay for other urgent enforcement priorities. The result has been an eroded and wholly inadequate source of funds to pay for the timely replacement of aging vehicles. Without a diverse and reliable fleet of vehicles to support DEA drug investigations, the Agency will experience excessive maintenance costs and lost productivity, and jeopardize Agent safety. To prevent this, DEA needs a \$6,715,000 base for vehicles. The enhancement, in conjunction with the \$3,000,000 base in the Salaries and Expenses appropriation, would reestablish this base.

At present, DEA has 4,895 vehicles in its fleet. About 79 percent of the vehicles were purchased; the remainder were forfeitures placed in service. DEA purchases vehicles through its regular appropriation, the ICDE appropriation, and any proceeds realized from the sale of vehicles. Since 1991, DEA has sold 3,382 vehicles yielding \$10.4 million, which has been used primarily to purchase, and sometimes armor, 368 vehicles assigned to foreign offices.

In 1990, DEA adopted a 80,000 mile replacement cycle for its vehicle fleet. DEA's standard was based on several factors including: 1) engine wear from lengthy periods of idling during stationary surveillance; 2) the effect of mobile surveillance on a vehicle's drive train and suspension; and 3) DEA's operational success and the safety of Special Agents being dependent on a reliable motor vehicle fleet. Initially, DEA did not have sufficient funding to fully implement a four-year or 80,000 mile

guideline; consequently, many vehicles in the fleet exceeded the 80,000 mile standard with some vehicles approaching 100,000 miles. DEA began implementing the new replacement cycle guidelines in 1991 and 1992.

In an era of diminishing financial resources and rising vehicle replacement costs, DEA once again has examined the replacement criteria and the types of vehicle in the fleet. Following a thorough review in 1994, DEA adopted two major cost-cutting measures: 1) changing the replacement criteria for the fleet to 75,000 miles and 2) altering the practice of purchasing new vehicles with the "police package" option, reasoning that the entire fleet was not subject to the tolerance to justify this costly option.

The following table shows DEA's motor vehicle fleet by estimated odometer readings to project replacement needs. The 1995 column shows the distribution of the fleet by actual odometer reading. The vehicle spread in succeeding years is based on the current annual average of 14,328 miles for the entire fleet. The projections below also assume that DEA will purchase and replace 300 vehicles each year (200 with appropriated funds and 100 through the Sale of Official Government Vehicles) plus any additional vehicles that correspond with position increases. For 1996 and 1997, these increases are 30 and 126 respectively.

DEA Enforcement Administration's Aging Motor Vehicle Fleet

Mileage	1995	1996	1997
<10,000	312	330	426
<20,000	365	312	330
<30,000	498	365	312
<40,000	553	...	...
<50,000	700	1,061	365
<60,000	912	700	498
<70,000	482	...	553
>70,000	<u>559</u>	<u>1,353</u>	<u>1,753</u>
Total	4,121	4,181	4,277

This table points out that without an increase to DEA's vehicle base funding, 41 percent of the Agency's vehicle fleet will have odometer readings of over 70,000 miles in 1997. Compared to 1995 where only 14 percent of the fleet had readings of more than 70,000 miles. Not only does an aged vehicle fleet compromise Special Agent safety, but it also increases operating costs for repairs since most of the vehicles would no longer be covered under warranty.

To avoid an over-aged vehicle fleet, DEA will need to replace about 800 vehicles each year. This estimate is based on an average annual mileage of 14,328 for the fleet, the 75,000-mile criterion, and the DEA fleet inventory of 4,121 vehicles.

A review of the current fleet, projected average annual mileage, and the current vehicle base shows that DEA's vehicle base would need to be \$12,715,000. DEA's current base of \$3,000,000 is in the DEA Salaries and Expenses appropriation. In addition, DEA receives an average of \$3,000,000 from the Sale of OGV's. An increase of \$6,715,000 is required to bring the base up to \$12,715,000. This base would allow DEA to replace approximately 800 vehicles each year (750 cars at an average cost of \$15,600 and 50 light trucks and vans at a cost of \$21,500).

The table below shows the projected vehicle inventory with an annual replacement of approximately 800 vehicles.

Drug Enforcement Administration's Vehicle Fleet With Revised Base

Mileage	1995	1996	1997	1998	1999	2000
<10,000	312	330	926	800	800	800
<20,000	395	312	330	926	800	800
<30,000	498	395	312	330	926	800
<40,000	563	...	...	...	...	...
<50,000	700	1,061	395	312	330	926
<60,000	612	700	498	395	312	330
<70,000	482	...	563	...	...	...
>70,000	858	2,053	1,353	1,514	1,108	821
Total	4,121	4,151	4,277	4,277	4,277	4,277

The table shows that with a vehicle base of \$12,715,000 (\$6,715,000 in enhancement, \$3,000,000 in the Salaries and Expenses appropriation, and \$3,000,000 in receipts from the Sale of OGV's), DEA can purchase approximately 800 replacement vehicles. Purchasing approximately 800 replacement vehicles will bring the portion of vehicles over 70,000 miles down to 15 percent by the year 2000—bringing the inventory back to the 1995 level.

In recent years, DEA has extensively studied its use of vehicles and has implemented initiatives to improve its fleet management while also cutting costs. Such improvements have included revising the replacement cycle, switching to less expensive vehicles with fewer options, and optimizing the use of forfeited vehicles. The Administrator has directed DEA staff

to continue to study ways to reduce the cost of procuring vehicles and improve fleet management. Despite the recent improvements, DEA's vehicle fleet will continue to rapidly age if additional base funding is not approved.

Facility Management	INITIATIVE		
	Perm. Pos.	FTE	Amount
Laboratory Reconstruction	\$ 7,000

Proposed Actions

This initiative seeks to address the following objective:

1. To render laboratories safe and adequately equipped to support law enforcement.

Laboratory Reconstruction

DEA requests \$7,000,000 in 1997 for the first year of a three year project to reconstruct five of the agency's deteriorating laboratory facilities.

DEA's laboratory reconstruction project cannot be delayed without serious risk to the health and safety of DEA laboratory personnel. The aging facilities not only pose a serious health threat, but are also inefficient, cramped, and expensive to maintain. Growth in case load and new technology cannot be accommodated in these substandard, crowded facilities. Without serious effort to alleviate these deteriorating conditions now, DEA's ability to address routine workload will remain inadequate.

Most of DEA's eight forensic laboratories were designed in the early 1970's. Changes in laboratory design technology, as well as increasingly stringent Federal health and safety standards, have worked to rapidly push these facilities toward obsolescence. In recent years, DEA's laboratory facilities also have been faced with acute space shortages, due in part to the rapid growth of DEA's Special Agent work force and the influx of agencies receiving cross designation in the enforcement of drug laws. This severe shortage of space has been exacerbated by the purchase of new state-of-the-art laboratory equipment, which requires significantly more laboratory space than provided by the agency's current facilities.

Lease expirations, severe space shortages, and noncompliance with federal, state and local safety, health, and environmental standards mandate the reconstruction of five of DEA's eight forensic laboratories over the next three years. Those

laboratories which must be reconstructed include: the Southwest Laboratory (San Diego); the Mid-Atlantic Laboratory (Washington, D.C.); the Southeast Laboratory (Miami); the Special Testing and Research Laboratory (McLean, VA); and the Western Laboratory (San Francisco).

Each of these five targeted laboratories fails to meet OSHA, EPA and other federal, state and local health and safety requirements. As a result, DEA is vulnerable to punitive action for non-compliance with these requirements and is also subject to potentially expensive civil suits from laboratory employees who might develop health problems attributable to a hazardous working environment. DEA can no longer afford to sign leases in substandard facilities that do not meet the agency's minimal requirements for the health and safety of its employees.

DEA has, in recent years, attempted to confront current health and safety related concerns within the existing laboratory system through a variety of avenues, including the modification of current heating, ventilation, and air condition (HVAC) systems. Such efforts have proven to be marginally effective, piecemeal attempts to address a crisis that can only rightly be corrected through long-term facility reconfiguration, or in most cases, laboratory reconstruction.

DEA has already begun to take the steps necessary to improve the condition of its aging laboratory facilities. In coordination with the Army Corps of Engineers (ACE), a contract has been awarded to an architectural and engineering (A&E) firm for each of the five identified laboratories. The laboratory design process is in progress and will be completed by April 1997.

After completion of the required A&E designs, DEA will work with the General Services Administration (GSA) to secure a 20-year lease for each of the newly designed laboratories, and a developer will then build the facilities to DEA's specifications (estimated construction time is 12 to 18 months). The actual construction costs of the facilities would then be paid to GSA through rent. This plan would allow DEA to avoid having to submit a one-time laboratory construction request to the Department of Justice for each of the five laboratories, which could cost as much as \$85.0 million. The GSA leasing arrangements would allow DEA to purchase any of the five facilities over the course of the individual 20-year leases.

Following the GSA rental option, DEA would be responsible for any "above standard" construction costs associated with the building of the new laboratory facilities, additional construction supervision costs for the Corps of Engineers, and lab specific furniture and furnishings for each facility. These above standard construction costs total \$1,980,000 per facility; construction management costs for ACE personnel are estimated at \$820,000 per facility; and furniture, furnishings, and security total \$1,730,000 per facility. The total construction cost to DEA for all five laboratory facilities is thus \$21,000,000. The actual construction schedule for the laboratories, between 1997 and 1999, requires one-third of this total (\$7,000,000) in 1997.

Failure to improve these laboratory facilities could adversely affect the ability of the laboratories to provide quality, timely, and effective support to enforcement operations. In the end, the reconstruction of the identified laboratories will not only improve

the health and safety of DEA personnel, but save drug enforcement resources by providing for more effective and efficient support of DEA enforcement operations. The long lead time required to relocate these facilities mandates that urgent attention be given to this problem now.

ORGANIZATIONAL GOAL 1: Combat drug-related violent crime in conjunction with state and local task forces.									
PERFORMANCE INDICATOR INFORMATION									
Type of Indicator	Performance Indicators			PERFORMANCE TARGETS AND ACTUAL RESULTS					
	1993 Actual	1994 Actual	1995 Actual	1996 Estimate	1997 Estimate	1998 Estimate	1999 Estimate	2000 Estimate	2001 Estimate
Input									
1. State and local Task Force/Year end	101	103	125	125	125	125	125	125	131
2. DEA Agents assigned to the SL Task Force/yr end	577	607	615	623	634	634	634	634	634
3. SL Officers assigned to SL Task Force/yr end	1,211	1,278	1,278	1,344	1,307	1,307	1,307	1,307	1,307
Output									
4. DEA SL Task Force Investigative Workhours	603,464	616,137	645,460	676,179	708,359	708,359	708,359	708,359	708,359
5. SL Task Force Cases Opened	5,236	4,308	5,899	7,437	9,774	9,774	9,774	9,774	9,774
6. DEA SL Cooperative Investigative Workhours	402,010	527,699	744,083	1,040,395	1,479,981	1,479,981	1,479,981	1,479,981	1,479,981
7. SL Cooperative Cases Opened	3,160	4,004	4,990	6,219	7,760	7,760	7,760	7,760	7,760
8. SL Personnel Trained	18,100	18,800	18,700	18,800	18,800	18,800	18,800	18,800	18,800
9. SL Task Force Arrests	6,397	6,036	6,883	8,079	9,346	9,346	9,346	9,346	9,346
10. SL Task Force Drug Removals									
a) Heroin (lbs)	82	86	72	80	80	80	80	80	80
b) Cocaine (lbs)	5,457	6,031	6,249	6,475	6,709	6,709	6,709	6,709	6,709
c) Marijuana (lbs)	21,061	20,234	24,764	30,357	37,184	37,184	37,184	37,184	37,184
d) Dangerous Drugs (MIL dosage units)	36	33	41	51	64	64	64	64	64
11. SL Task Force Asset Seizures (\$m)	\$124.3	\$112.3	\$107.9	\$103.7	\$99.8	\$99.8	\$99.8	\$99.8	\$99.8
12. SL Cooperative Arrests	3,683	4,821	6,858	9,557	13,319	13,319	13,319	13,319	13,319
13. SL Cooperative Drug Removals									
a) Heroin (lbs)	20	18	47	136	408	408	408	408	408
b) Cocaine (lbs)	3,243	5,794	3,745	2,421	1,865	1,865	1,865	1,865	1,865
c) Marijuana (lbs)	10,312	11,353	46,169	187,754	763,537	763,537	763,537	763,537	763,537
d) Dangerous Drugs (MIL dosage units)	43	12	24	48	98	98	98	98	98
14. SL Cooperative Asset Seizures	96	123	112	102	83	83	83	83	83
15. SL Task Force Asset Forfeitures (\$m)	\$77.0	\$111.8	\$63.5	\$36.1	\$20.5	\$20.5	\$20.5	\$20.5	\$20.5
16. SL Task Force Asset Convictions	4,912	4,282	4,149	4,037	3,929	3,929	3,929	3,929	3,929
17. SL Cooperative Asset Forfeitures (\$m)	\$65.5	\$93.1	\$69.8	\$32.3	\$30.2	\$30.2	\$30.2	\$30.2	\$30.2
18. Convictions	2,792	2,567	2,931	3,347	3,621	3,621	3,621	3,621	3,621

A. Definition of Terms or Explanation for Indicators:	<p>/1. S/L Task Force data are for all official task forces, both program funded and provisional.</p> <p>/2. Cooperative S/L Investigative work hours increased by 31 percent from FY 1993-1994, and by another 41 percent from FY 1994-1995. The latter increase occurred while overall investigative work hours declined slightly.</p>
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DRUG ENFORCEMENT ADMINISTRATION
Violent Crime Reduction Program
Financial Analysis - Program Changes
 (Dollars in thousands)

Object Class	Mobile Enforcement Teams			Domestic Enforcement			Laboratory Reconstruction			Total		
	Pos.	Amount	Pos.	Amount	Pos.	Amount	Pos.	Amount	Pos.	Amount	Pos.	Amount
Grades:												
GS-13	75	\$4,124	...	...	...	...	...	...	...	75	\$4,124	...
GS-12	...	...	...	...	...	...	...	...	...	...	...	...
GS-6	18	478	...	...	...	...	...	...	...	18	478	...
Total Positions and Annual Rate	93	4,602	...	...	...	...	...	...	...	93	4,602	...
Leaves (-)	(47)	(2,301)	...	...	...	...	...	...	...	(47)	(2,301)	...
Other Personnel Compensation	...	412	...	...	...	...	...	...	...	...	412	...
Total Workyears and Personnel Compensation	46	2,713	...	...	...	...	...	...	...	46	2,713	...
Personnel Benefits	1,148	...	...	...	...	...	...	...	...	1,148	...	...
Travel and Transportation of Persons	683	...	...	...	...	...	...	...	...	683	...	...
Transportation of Things	...	...	...	...	...	...	...	...	...	...	...	...
GSA Rent	279	...	...	...	...	...	...	...	...	279	...	...
Rental Payments to Others	...	...	...	...	...	...	...	...	...	...	...	...
Communications and Utilities	471	...	...	...	...	...	...	...	...	471	...	...
Printing and Reproduction	23	...	...	...	...	...	...	...	...	23	...	...
Advisory and Assistance Services	...	...	...	...	...	...	...	...	...	...	...	...
Other Services	18	...	...	...	...	...	...	...	...	18	...	...
Purchase of Goods and Services From Government	114	...	...	...	...	...	...	...	...	114	...	...
Operations and Maintenance of Facilities	126	...	...	...	...	...	...	...	...	126	...	...
Medical Care	32	...	...	...	...	...	...	...	...	32	...	...
Operations and Maintenance of Equipment	3	...	...	...	...	...	...	...	...	3	...	...
Subsistence and Support	49	...	...	...	...	...	...	...	...	49	...	...
Supplies and Materials	241	...	...	...	...	...	...	...	...	241	...	...
Equipment	...	...	...	...	...	...	...	...	...	...	...	...
Land and Structures	...	...	...	...	...	...	...	...	...	...	...	...
Total Program Workyears & Obligation Changes, 1997	46	5,800	...	...	...	6,715	...	...	...	46	18,615	...

Drug Enforcement Administration
Violent Crime Reduction Program
1987 Priority Ranking

BASE PROGRAM		PROGRAM INCREASES	
Program	Ranking	Program	Ranking
State and Local Task Forces	1	Mobile Enforcement Teams	1
		Motor Vehicle Replacement	2
		Lab Reconstruction	3

DRUG ENFORCEMENT ADMINISTRATION
Violent Crime Reduction Program
Detail of Permanent Positions by Category
Fiscal Years 1985-1987
(Dollars in thousands)

CATEGORY	1985	1986	1987	
	Authorized	Authorized	Transfer From S&E (S&LIT)	Program Increase Authorized
Criminal Investigating Series (1811)	203	465	60
Intelligence Series (132-134)	6
General Administration, Clerical and Office Services (300-399)	179	18
Accounting and Budget (500-599)	6
Chemist Series (1320)	1	3
Total	203	645	83
Washington
U. S. Field	203	645	93
Foreign Field
Total	203	645	93

DRUG ENFORCEMENT ADMINISTRATION
Violent Crime Reduction Program
Summary of Attorney/Agent and Support Positions/FTE
(Dollars in thousands)

APPROPRIATED POSITIONS

Decision Unit	1996 Appropriation Anticipated						1997 Base					
	Agents Pos.	FTE	Pos.	FTE	Support Pos.	Total FTE	Agents Pos.	FTE	Pos.	FTE	Support Pos.	Total FTE
Enforcement.....	203	188	---	---	---	203 188	565	565	---	---	180 179	844 844
TOTAL.....	203	188	---	---	---	203 188	565	565	---	---	180 179	844 844

	1997 Program Changes						1997 Request Level					
	Agents Pos.	FTE	Pos.	FTE	Support Pos.	Total FTE	Agents Pos.	FTE	Pos.	FTE	Support Pos.	Total FTE
Enforcement.....	80	30	---	---	33 16	83 46	728	695	---	---	215 185	941 890
TOTAL.....	80	30	---	---	33 16	83 46	728	695	---	---	215 185	941 890

DRUG ENFORCEMENT ADMINISTRATION
Violent Crime Reduction Program
Summary of Changes
(Dollars in thousands)

	Perm. Pos.	FTE	Amount
1996 Appropriation Anticipated.....	203	188	\$60,000
Adjustments to Base:			
Transfers to and from other accounts:			
State and Local Task Force Decision Unit from Salaries & Expenses.....	728	724	91,051
Base Resources to Salaries and Expenses.....	(83)	(68)	(32,944)
Total, Transfers.....	645	656	58,107
Increases:			
1997 Pay Raise and Locality Pay Adjustment.....	...	...	188
Annualization of 1996 Locality Pay.....	...	...	25
Annualization and Increase of 1996 Pay Raise.....	...	...	65
Total, Increases.....	...	...	278
1997 Base.....	848	844	118,385
Program Changes.....	93	48	19,615
1997 Estimate.....	941	890	138,000

DRUG ENFORCEMENT ADMINISTRATION
Violent Crime Reduction Program
Justification of Adjustments to Base
(Dollars in thousands)

	Perm. Pos.	FTE	Amount
Transfers to and from other accounts:			
1 State and Local Task Forces	728	724	\$91,051
2 Base Resources to Salaries and Expenses	(83)	(68)	(32,944)
Total, Transfers	645	656	58,107
Increases:			
1 1997 Pay Raise and Locality Pay Adjustment	...	...	188
This request provides for the proposed 3.0 percent pay raise and locality pay adjustment to be effective in January of 1997 and is consistent with Administration policy included in the 1997 President's Budget request. The amount requested, \$188,000 represents the pay amounts for three-quarters of the fiscal year plus appropriate benefits (\$128,000 for pay and \$60,000 for benefits = \$188,000).			
2 Annualization of 1996 Locality Pay	...	...	25
This adjustment represents the locality pay increase effective in January 1996. The 1996 increases are calculated at the rates approved in 1995, for the full fiscal year.			
3 Annualization and Increase of 1996 Pay Raise	...	...	65
This pay annualization represents first quarter amounts (October through December) of the 1996 pay increase of 2.4 percent, plus appropriate personnel benefits and the additional amount required above the 2.2 percent originally requested for the three-quarters of the year (\$43,000 for pay and \$22,000 for benefits).			
Total, Increases	...	...	278
Total, Adjustments to Base	645	656	58,385

DRUG ENFORCEMENT ADMINISTRATION
Violent Crime Reduction Program
Summary of Requirements by Grade and Object Class
(Dollars in thousands)

	1995 Period		1996 Estimate		1997 Actual		1998 Actual	
	FTE	Amount	FTE	Amount	FTE	Amount	FTE	Amount
Grades and Salary Ranges								
Executive Level IV, \$118,700								
ES-4, \$114,000								
ES-4, \$108,400								
ES-3, \$103,800								
ES-3, \$99,200								
OS/04-14 \$73,486-81,531								
OS/04-14 \$62,473-81,517								
OS/04-14 \$52,460-79,479								
OS-11, \$57,094-68,222								
OS-10, \$53,792-63,086								
OS-4, \$30,685-38,096								
OS-7, \$25,093-32,062								
OS-4, \$22,864-29,320								
OS-3, \$20,332-26,303								
OS-2, \$18,825-24,115								
OS-3, \$16,111-20,843								
OS-2, \$14,764-18,677								
Ungraded positions								
1997 Pay Rates								
Total, appropriated positions	200	\$12,135	200	\$12,115	200	\$12,071	200	\$11,971
Pay above stated annual rates			47	(61)	208	(2,720)	141	(1,808)
Salaries, shift or travel pay, costs for part of year			(16)	(912)	(61)	(2,720)	(59)	(1,808)
Salaries, shift or travel pay, costs for part of year								
Net, Medicare payment			18	1,278	60	\$1,817	70	\$2,307
Other personnel compensation								
Overtime			2	249	15	708	13	620
Unemployment			1	2	18	818	18	818
Other compensation			3	373	35	1,648	32	1,378
Special personnel services payments								
Total, Workers' & personnel compensation	250	14,016	250	\$2,831	1,178	82,831	916	\$2,818
Average ES Salary								
Average OS Salary								
Average OS Grade								

DRUG ENFORCEMENT ADMINISTRATION
Violent Crime Reduction Program
Summary of Requirements by Grade and Object Class (Continued)
(Dollars in thousands)

[illegible]

Department of Justice
Drug Enforcement Administration
Drug Diversion Control Fee Account
Estimates For Fiscal Year 1997

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**Drug Enforcement Administration
Drug Diversion Control Fee Account**

Summary Statement

The Drug Enforcement Administration Drug Diversion Control Program (DDCP) is responsible for control of diversion, distribution, manufacture, and abuse of legitimate pharmaceuticals, and serves as a resource base for states and other agencies on drug distribution and abuse patterns. The Comprehensive Drug Abuse and Prevention and Control Act of 1970 (Public Law 91-5132) (CSA) authorizes DEA to enforce the law as it applies to the registration of handlers of controlled substances. The program also serves as a resource center for the international monitoring and control of legitimate pharmaceuticals.

The purpose of the Drug Diversion Control Program is to prevent, detect, and investigate the diversion of controlled substances from legitimate channels, while ensuring that there is an adequate and uninterrupted supply of controlled substances required to meet legitimate needs. This is accomplished through periodic, pre-registrant and criminal investigations, registrations, drug scheduling, establishing manufacturing quotas, voluntary compliance, state assistance, industry liaison, and associated support programs. Additionally, DEA has responsibility for adhering to the United States international treaty obligations through activities with the United Nations, the Customs Cooperation Council, Interpol, and other international drug control organizations, as well as with government officials involved in drug control.

DEA annually registers in excess of 800,000 drug handlers, of which over 1,670 are manufacturers, distributors, importers, exporters, and others handling large volumes of controlled substances.

Preventing the diversion of controlled substances from legitimate channels of drug distribution is a cooperative effort between federal and state governments. DEA has primary responsibility for enforcing the provisions of the CSA as it relates to all nonpractitioner registrants. DEA also targets any registrant violator who meets established criteria. DEA will reinstate the Drug Diversion Investigative Units (DIUs) this fiscal year as a means to focus diversion control efforts at the state and local level. In the past, this has served to increase arrests, while decreasing the cost per arrest.

Intergovernmental liaison for planning and coordination is necessary for criminal prosecutions and civil actions, for reciprocal development and exchange of leads with federal, state and local law enforcement and regulatory agencies.

The DEA will also establish a National Forensic Laboratory Information System (NFLIS). Its purpose is to collect and provide accurate and scientifically validated data concerning abuse of controlled substances. This information is necessary for scheduling controlled substances, setting quotas for manufacturing levels, and providing leadership in establishing drug policy under the CSA. The NFLIS will be the first national data base focused on collecting this information--saving hundreds of hours that DEA pharmacologists currently spend contacting many of the over 150 laboratory systems in the country. The data collected will also provide a more accurate portrayal of national trends of abuse, and compliment the information obtained from hospital emergency rooms via the Drug Abuse Warning Network (DAWN).

Pursuant to the Appropriations Act of 1993, CSA registration fees were increased in 1993 by a factor of 3.5 to recover the entire cost of the program beginning in 1994. DEA will not raise the fees in 1997.

Drug Enforcement Administration
Drug Diversion Control Fee Account
Crosswalk of 1996 Changes
(Dollars in thousands)

	1996 President's Budget Request			Transfers / 1			1996 Appropriation Anticipated		
	Pos.	FTE	Amount	Pos.	FTE	Amount	Pos.	FTE	Amount
Drug Diversion Control	595	591	\$47,241			\$15,000	595	591	\$62,241
Total	595	591	47,241			15,000	595	591	62,241

1/ Transfers: Due to limitations within the Budget Enforcement Act of 1990, the first \$15,000,000 of receipts collected is deposited in the General Treasury and scored to DEA's Salaries and Expenses Appropriation. Prior to FY 1996, these funds were reimbursed annually to the DDCFA. Beginning in 1996, these funds will be transferred annually to the DDCFA.

Drug Enforcement Administration
Drug Diversion Control Fee Account
Summary of Requirements
(Dollars in thousands)

	1986 Appropriation Anticipated			1987 Base			1987 Estimate			Increases		
	Perm Pos.	FTE	Amount	Perm Pos.	FTE	Amount	Perm Pos.	FTE	Amount	Perm Pos.	FTE	Amount
Adjustments to Base:												
1986 Conference Allowance.....	595	591	\$47,241									
Annual transfer from the DEA Salary and Expenses Appropriation.....												
1986 Appropriation Anticipated.....			15,000									
Transfers to and from Other Accounts:												
Transfer from DEA Salary and Expenses Appropriation.....												
Increase.....			(15,000)									
1987 Base.....	595	591	48,496									
Program Changes:												
1987 Estimate.....	3	3	4,329									
	595	594	52,824									
Estimates by Budget Activity												
Enforcement.....	595	591	\$52,241	595	591	\$48,496	595	594	\$52,824	3	3	\$4,329
Total.....	595	591	52,241	595	591	48,496	595	594	52,824	3	3	4,329
Other Workyears:												
Holiday.....	1			1			1					
Overtime.....												
Availability.....	3			3			3					
Other.....												
Total compensable workyears.....	595			595			595					

Drug Enforcement Administration
Drug Diversion Control Fee Account
Summary of Requirements
(Dollars in thousands)

Financing	1995 Actual	1996 Appropriation Anticipated	1997 Estimate
Unappropriated Balance, Start of Year.....	\$29,939	\$37,230	\$36,169
Receipts:			
Receipts Collected.....	61,266	60,200	71,800
Transfer to General Treasury Fund.....	(16,000)	(16,000)	(16,000)
Reimbursed from Salaries and Expenses.....	16,000	...	...
Transfer to the Drug Diversion Control Receipt Account.....	...	16,000	16,000
Total Receipts.....	61,266	60,200	71,800
Appropriation/Obligations:			
Drug Diversion Control Fee Account.....	(39,294)	(62,241)	(67,824)
Reimbursed from Salaries and Expenses.....	(16,000)	...	...
Prior Year Recoveries.....	327	...	...
Total Obligations.....	(62,967)	(62,241)	(67,824)
Unappropriated Balance, End of Year.....	37,230	35,169	39,166
Outlays.....	42,961	64,676	63,906

**Drug Enforcement Administration
Drug Diversion Control Fee Account
Program Performance Information
Government Performance and Results Act Requirements**

Mission:

DEA has been delegated responsibility for control of diversion, distribution, manufacture, and abuse of legitimate pharmaceuticals, and serves as a resource base for states and other agencies on drug distribution and abuse patterns. The Comprehensive Drug Abuse and Prevention and Control Act of 1970 (Public Law 91-5132) (CSA) authorizes DEA to enforce the law as it applies to the registration of handlers of controlled substances. The program also serves as a resource center for the international monitoring and control of legitimate pharmaceuticals.

The purpose of the Drug Diversion Control Program is to prevent, detect, and investigate the diversion of controlled substances from legitimate channels, while ensuring that there is an adequate and uninterrupted supply of controlled substances required to meet legitimate needs.

Organizational Goal: Prevent legitimately produced controlled substances from being diverted into illicit channels.

Major Objectives:

1. Conduct investigations of suspect practitioners and evaluations of registrant qualifications.
2. Enforce all provisions of the CSA and the Anabolic Steroid Act (ASCA) through criminal and regulatory investigations as well as civil actions.
3. Assess the ability of the states to control diversion and assist them in their drug diversion control efforts.
4. Identify all new substances which are being abused or have abuse potential, determine their placement in the appropriate CSA schedule, and establish manufacturing quotas.
5. Respond in a timely fashion to all requests concerning drug control issues and import/export data.
6. Register all legal handlers of controlled substances.
7. Continually monitor the closed system of distribution of illicitly manufactured controlled substances.

There are approximately 900,000 handlers of controlled substances. DEA considers each registrant as a potential source of diversion; however, most diversion activities entail audits at the practitioner and retail pharmacy level.

**Drug Enforcement Administration
Drug Diversion Control Fee Account
Justification of Program and Performance
(Dollars in Thousands)**

ACTIVITY: ENFORCEMENT

	Perm. Pos.	FTE	Amount
Drug Diversion Control			
1998 Availability	505	501	\$82,241 ^{1/}
1997 Base	505	501	48,405 ^{2/}
1997 Estimate	503	503	52,824
Increase/Decrease	3	3	4,329

Due to the requirements of the Budget Enforcement Act of 1990, DEA's Drug and Chemical Diversion Control Decision Unit in the Salaries and Expenses budget includes \$15,000,000 (registration fee related) for costs associated with drug diversion control.

BASE PROGRAM DESCRIPTION: In compliance with United States law and international treaty obligations, the Office of Diversion Control advises DEA management on all matters pertaining to the formulation, direction, and coordination of worldwide programs associated with the diversion of legally produced controlled substances.

Directs DEA's worldwide drug diversion control activities to include diversion investigations, domestic and international diversion control, registration, voluntary compliance, state assistance, industry liaison, and associated support programs. (The workyears and supporting resources for the diversion control personnel assigned overseas are funded through the DEA Salaries and Expenses budget in the Foreign Cooperative Investigations Decision Unit).

Formulates detailed drug diversion control input for the work plans and priority objectives (as it relates to drug control) of appropriate domestic and foreign offices.

Formulates additional legislation and regulations to curtail the diversion of controlled substances from legitimate channels.

Reviews the effectiveness of DEA worldwide and individual field office drug diversion control activities to ensure that they are responsive to the diversion control mission of DEA and the requirements of the law.

^{1/} Reflects transfer of \$16,000,000 from DEA Salaries and Expenses Appropriation

^{2/} Does not include \$15,000,000 which will be transferred in accordance with 1997 Appropriation language.

In compliance with the United States law, international treaty obligations (including the 1963 United Nations Convention on Narcotics, the 1971 Convention on Psychotropic Substances, and the 1988 Convention on Illicit Drug Traffic) the Office of Diversion control represents DEA at national and international conventions and meetings concerned with the control of legitimate drugs and diplomatic initiatives designed to ensure appropriate diversion controls.

Criminal Diversion Investigations: An estimated 12,000 practitioners are involved in activities that violate the CSA and the ASCA. DEA identifies the highest level violators responsible for large scale diversion and conducts high quality, timely criminal investigations of their diversion activities. As the need arises, DEA develops drug oriented investigations (DOIs) under its priority targeting system aimed specifically at highly abused controlled substances and/or major trafficking organizations for intensive investigative efforts.

Public Interest Revocation Investigations: DEA may deny any applicant for registration or revoke or suspend a registration if it is determined that it would be inconsistent with the public interest.

CSA Mandated Cyclic Investigations: Cyclic investigations ensure that diversion does not occur at the manufacturer, distributor, or wholesale levels of the distribution chain.

Pre-registrant Investigations: Pre-registrant investigations ensure that only qualified individuals or companies are authorized to acquire or dispense controlled substances.

State and Local Assistance: DEA assesses state programs aimed at suppressing the diversion of controlled substances from scientific, medical research and legitimate distribution channels. In addition, the State Assistance Program provides expertise, leadership, and guidance to the states consistent with national objectives.

STATE AND INDUSTRY

The State and Industry Program is a critical element of DEA's drug control strategy. The industry usually employs adequate controls to the extent that they are informed of the necessary requirements. In this regard, DEA maintains an active program to provide the regulated industries with such information. Approximately every six months, DEA participates in working committee meetings with associations representing drug manufacturers, distributors, retail pharmacies, practitioners, and since June 1993, mid-level practitioners. DEA holds a conference for the pharmaceutical industry approximately every eighteen months, and DEA personnel participate as speakers at several national association meetings every year.

DEA continues to provide legislative, policy, and investigative assistance to the states. The National Conference on Diversion Control is a centerpiece of this effort. In November 1993, DEA hosted the first plenary session of the National Association of State Controlled Substance Authorities (NASCSA) and provided information on diversion and abuse of legitimately produced pharmaceutical controlled substances, scheduling actions, and other topics of interest to participants. DEA is a strong advocate of diversion control programs at the state and local levels.

In February 1993, DEA called together state regulatory and enforcement personnel responsible for 11 prescription monitoring programs to re-evaluate those programs and develop strategies to ensure their continued viability and effectiveness. A second conference was held in Chicago, Illinois in July of 1995.

In November 1993, DEA published the first edition of the "Diversion Quarterly", a publication intended to promote the exchange of information between law enforcement and regulatory personnel involved in diversion control. Subsequent editions have been published quarterly since that time and the current circulation is over 1,000 copies per issue.

The State and Industry Program provides state and industry agencies with policy interpretations concerning existing regulations and pending regulatory and policy changes. At the time DEA is conducting a special survey to evaluate the readiness of the industry to switch from existing record keeping and reporting mechanisms to electronic transmission of controlled substance transactions. Once the study is complete, DEA will consider revising current regulations as appropriate.

INTERNATIONAL DRUG CONTROL

Conferences:

In compliance with United States law and international treaty obligations, DEA directs programs that relate to the international control of legitimately produced controlled substances. In doing so, DEA held the International Conference on the Abuse and Trafficking of Anabolic Steroids in Prague, Czech Republic in December 1993. The goal of this conference was to bring together representatives of interested nations and scientific experts to candidly discuss the anabolic steroid issue from a law enforcement and regulatory control perspective as well as from a scientific and public health perspective. This was the first international conference to examine anabolic steroids in this context. The conference was attended by representatives of 17 nations and four international organizations as well as scientific experts with specific expertise in the area of anabolic steroids.

International Diversion of Controlled Substances:

Anabolic Steroids: Steroids of Russian origin have been increasingly encountered. Multiple seizures of 70,000 or more tablets of Russian methandrostenolone have been made from vessels in U.S. ports. Additionally, anabolic steroids continue to be shipped to the U.S. by foreign dealers utilizing international mail, by overnight parcel delivery services such as DHL and Federal Express, and by commercial airline passengers and crew members carrying suitcases packed with steroids.

Flunitrazepam: Marketed outside the U.S. primarily under the trade name Rohypnol, flunitrazepam is a Schedule IV drug having no approved use in the United States. During 1995, untended imports of this drug soared. Rohypnol is produced in Colombia and Mexico. Smuggling via international mail and international overnight courier accounts for the primary problem in south Florida from Colombia. Rohypnol is also brought into the United States from Mexico by individuals who are taking advantage of the "personal use exemption" by declaring the drug to U.S. Customs inspectors upon entry into the country. During a three week period in July of 1995 in Laredo, Texas, Customs declarations documented 101,700 tablets of Rohypnol entering the U.S. under the personal use

exemption. Federal sentencing guidelines require that extremely large quantities of Rohypnol be involved before a defendant can receive any imprisonment. In the southern district of Florida, at least 225,000 tablets of Rohypnol must be seized before the U.S. Attorney will prosecute the case. Thus seizures of ten to twenty thousand tablets are referred to the states for prosecution.

Diazepam: During 1982, DEA obtained information that a foreign pharmaceutical company was the source of supply for large quantities of diazepam (approximately 2,000,000 dosage units) that was being diverted into the United States. It was learned that authorities in Long Island, Nassau, San Juan, Fort Lauderdale, Atlantic City, Hammond, and Detroit have either developed cases or obtained information relative to large quantities of diazepam manufactured by the same foreign firm.

During 1983 and 1984, numerous individuals were arrested including one individual who was smuggling the diazepam from the Bahamas. Several international initiatives have been taken to stem this flow of diazepam. Numerous visits and communications have occurred between the government of the country of origin and DEA. The country of origin is attempting to pass legislation requiring tighter controls on diazepam. Additionally, the Bahamian Government has agreed to tighten the controls on the importation of controlled substances.

In New York, the president of the pharmaceutical firm, Afro-Caribbean, was utilizing his company to smuggle large amounts of diazepam from Canada into the United States. The diazepam was then diverted into the illicit traffic. The president was arrested when he received 67,000 diazepam tablets from the Canadian source. After a lengthy jury trial, he was convicted of the illegal sale of controlled substances.

Black Pearls: Black Pearls, also known as "Tung Shueh", "Cows Head", and "Chifong Toulawan pills", are being illegally imported and distributed in the United States as Chinese herbal medicines to treat arthritis and a host of other maladies in elderly persons. These shiny black pills contain controlled substances such as diazepam, and prescription drugs such as indomethacin and mefenamic acid, but are sold over-the-counter at health food, natural products, and oriental markets. The user experiences temporary relief but the preparations are highly toxic and their use has resulted in numerous injuries and some deaths.

The Drug Enforcement Administration is currently conducting numerous investigations concerning Black Pearls. One case resulted in the conviction of a dealer in Black Pearls. Information gathered during this investigation identified the major distributor of this product in the United States. Search warrants were served at four locations which resulted in the seizure of the following:

31 million Black Pearls
2 luxury automobiles
\$70,000 in jewelry
\$2,450,000 in certificates of deposit
\$300,000 in bank accounts
\$8,500,000 in real estate.

At present, DEA's registrant population totals 910,859: 395 manufacturers, 987 distributors, 169 exporters, 82 importers, and 984 narcotic treatment programs were designated as "Type B" registrants. The remainder are "Type A" registrants, which includes physicians, veterinarians, pharmacists, and other practitioners. The following table reflects some statistics of the Regulatory Support program:

REGULATORY SUPPORT PROGRAM	1993 Actual	1994 Actual	1995 Actual	1996 Estimate	1997 Estimate
New Registrant Applications	45,483	48,457	48,988	45,000	45,500
Renewal Registrant Applications	271,598	294,473	279,505	260,000	305,000
Order Form Books Issued	437,339	453,333	488,612	496,000	512,500
Order Form Requests	91,906	98,957	87,984	110,500	107,000
Certified Statements for Judicial Proceedings	146	114	86	125	135
Responses to State Agencies for CSA Master File Lists	50	50	43	50	50
ARCOS Transactions	12 mil	13 mil	15 mil	14 mil	15 mil
Drug Distribution Sales Profiles Developed	199	258	245	290	3250
Changes, Additions, or Deletions to ARCOS Dictionary	3,400	3,720	2,400	4,200	4,500

DRUG ORIENTED INVESTIGATIONS

DRUG ORIENTED INVESTIGATIONS (DOI)	ARRESTS	SEIZED CASH	REAL ESTATE	CONVEYANCES	OTHER SEIZURES
DOI - 511 (Dlaudid)	139	\$980,192	\$225,000	\$71,300	\$47,160
DOI - 536 (Steroids)	174	\$349,644	\$246,377	\$212,800	\$114,670
DOI - 544 (All other Drugs)	...	\$5,040	\$180,000	...	\$17,640

DOI-511: DOI-511 was established to coordinate intelligence and enforcement efforts against retail diversion of Dlaudid nationwide. Dlaudid, a synthetic, morphine-like substance, is considered the most powerful prescription pain killer sold today. There exists a drug culture that is strictly composed of Dlaudid addicts. Due to the demand for the short-acting but potent narcotic, current street prices have been and continue to be as high as \$70 per four milligram tablet. Diversion of this highly addictive drug occurs primarily at the retail level through over-prescribing by unscrupulous physicians and dispensing pharmacists with similar unprofessional motives. Doctor shopping, thefts, and forged prescriptions passed by sophisticated fringe account for a large portion of the diversion. As a result of DOI-511, there have been 139 arrests of individuals involved in the diversion/trafficking of Dlaudid.

DOI-536: Over the past few years, since DEA's enforcement and regulatory efforts of the Anabolic Steroid Control Act have become well known, a new trend has gradually emerged. Today almost all of the diverted steroids encountered in the illicit market originated from a foreign source, primarily Europe and Mexico. Further, it is now common to find cocaine and marijuana dealers selling steroids as well. DOI-536 continues to be productive and to date has resulted in 174 arrests and the seizure of cash and real property valued in excess of \$922,000.

A problem continues with federal sentencing guidelines for steroid traffickers. These sentencing guidelines require large quantities of steroids to be seized before a defendant can receive a minimal imprisonment sentence. Under DOI-536, three cases were of particular note. An organization based in Los Angeles, which clandestinely manufactured counterfeit steroids, was taken down and close to two million dosage units were seized. An investigation was coordinated on a large steroid trafficking group based in Italy which also had markets for their steroids in Los Angeles, Chicago, and Florida. The investigation was coordinated with Italian authorities. Arrests of 45 people are expected in 1986.

DOI-544: DOI-544 was established to encompass all prescription drugs other than Dlaudid or Steroids. There exists a certain population within the drug abusing community that prefer and traffic in prescription drugs. Methods of diversion include excessive

prescribing or dispensing of these drugs by doctors or pharmacists, forged prescriptions, doctor shopping, and theft. More recently, trafficking of Rohypnol (Flunitrazepam) has become a significant problem through smuggling and declaring the drug for personal use. As a result of DOI-544, cash, real property, and other items valued in excess of \$200,000 have been seized.

INITIATIVE

National Forensic Laboratory Information System	Perm. Pos.	FTE	Amount
	1	1	\$1,469

Proposed Actions

This Initiative seeks to address the following objectives:

1. Expediently collect chemical analysis data from state and local forensic laboratories for the purpose of scheduling controlled substances and setting quotas for manufacturing levels.
2. Establish a database through which federal, state, and local law enforcement authorities can share drug information.

National Forensic Laboratory Information System

Through this request, DEA seeks one physical scientist position, one FTE, and \$1,469,000 to establish a National Forensic Laboratory Information System (NFLIS) with the more than 150 laboratories in the United States which analyze drug evidence associated with criminal activity. The total funding of \$1,469,000 provides \$56,000 in personnel funding and the remaining \$1,413,000 for contractor services to develop and implement the system.

DEA has access to drug abuse information from hospital emergency rooms and medical examiners through the Drug Abuse Warning Network (DAWN). However, the hospital emergency room data is not scientifically verified because it is based on patient self-reporting or medical personnel's best guess of the drug abused.

The data derived from DEA's own enforcement operations is stored in the System to Retrieve Information from Drug Evidence (STRIDE). However, the data retrieved from these operations does not adequately represent the scope of illegal activity at the retail level or local abuse patterns. DEA laboratories represent only five percent of the forensic laboratories in the country.

Currently, DEA chemists and pharmacologists must spend countless hours on the telephone talking with any number of the over 150 forensic laboratories in the country to obtain information on drug evidence analysis associated with criminal activity. To collect information regarding a specific drug, DEA will also print requests in publications targeting the law enforcement and forensic science communities. DEA is at the mercy of the laboratories to respond. As these inquiries are targeting specific drugs, this does not provide an accurate representation of the national and regional trends necessary for scheduling drugs, setting quotas, or establishing policy.

The goal by the end of the first year is to incrementally include 61 laboratories in the data collection and sharing process.

INITIATIVE	Perm.		
	Pos.	FTE	Amount
Diversion Investigative Units	1	1	\$1,604

Proposed Actions

This initiative seeks to address the following objectives:

1. Focus diversion investigation efforts at the state and local level and provide better coordination and information exchange between federal, state, and local law enforcement authorities.
2. Assist state personnel develop expertise in diversion investigations.
3. Eliminate jurisdictional overlaps and submit stronger and more effective cases for prosecution.

Diversion Investigative Units

Through this request, DEA seeks one Diversion Investigator position, one FTE, and \$1,604,000. The total funding amount is comprised of \$84,000 for personnel costs and \$1,520,000 for state and local costs.

During the mid-late 1970's and the early 1980's, Diversion Investigative Units (DIU) consisting of federal, state, and local law enforcement personnel existed in several parts of the country. As many as 24 states provided personnel during the period of peak participation. The personnel structure of these units was mostly comprised of state and local officers. The success of these units is well documented by DEA. For example, an analysis by DEA's Office of Inspections, in 1983, of the cost-to-arrest relationship of the first ten DIUs established, indicates that the costs decreased from \$8,139 in 1972 to \$1,437 in 1980, while the arrests increased for the same period from 235 to 3,117 annually. Despite the success of the DIUs, they were disbanded due to budget restrictions imposed on the Department of Justice during the early 1980's.

The need still exists to focus diversion control efforts at the state and local level and provide a medium through which DEA can influence national diversion control efforts and assist states to develop criminal enforcement strategies.

Adequate DEA resources are not available to identify, investigate, and eradicate diversion of controlled substances at the state and local level. An advantage to be obtained in establishing DIUs is combining the state and local officer's knowledge of the geographical area of investigation and the DEA Diversion Investigator's knowledge of diversion control strategies to increase the volume of successfully prosecuted cases at the federal, state, and local level. This also provides an option of three levels of prosecution, which should also increase the volume of successfully prosecuted cases.

INITIATIVE

Perm. Pos.	FTE	Amount
..	..	\$700

Data Center Equipment Replacement**Proposed Actions**

This initiative seeks to address the following objectives:

1. Replace obsolete equipment with state-of-the-art equipment.
2. Provide uninterrupted quality service to the registrants and the entire Diversion Control program.

Data Center Equipment Replacement

DEA is mandated by the Controlled Substances Act to maintain a facility to process official order forms, renewals, certificates, and various other forms for Diversion Control's Registration Unit. However, most of the equipment currently installed in DEA's computer facility was acquired before 1980, either as refurbished equipment or from the General Services Administration's surplus list. The disk drives were acquired from the Department of Justice (DOJ) in 1987, when DOJ upgraded their disk drives. The printers were acquired from a company selling used computer equipment.

In addition, DEA must maintain current equipment in working condition to provide service to all users in Headquarters: two printers will be replaced, which are required to process the forms for the Registration Unit; two disk drives will be replaced, which are required to store the print data received from DOJ's computer to DEA's computer; six tape drives will be replaced, which are required for the processing of the ARCOS tape groups; the mail machine will be replaced, which is required to process the forms for mailing after they are removed from the computer room; and the burster will be replaced, which is used to process renewal forms and registration certificates.

In 1997, the currently installed computer and distribution equipment will be over seven years old. The manufacturer no longer provides maintenance service due to the age of the equipment. DEA currently has third party maintenance service to provide coverage, but as time continues, parts will become unavailable to repair the machines. The time between failures will increase and the equipment will be out of service for longer periods of time for repairs.

Additionally, as DOJ's equipment is upgraded, DEA is placed in the position of having to maintain compatibility in order to continue to process output from the DOJ mainframe computer.

	INITIATIVE		
	Perm. Pos.	FTE	Amount
Controlled Substances Act System	\$500

Proposed Actions

The initiative seeks to address the following objectives:

1. Eliminate problems associated with an out of date automated system.
2. Continue to provide uninterrupted support to the Drug Diversion Control Fee Account.

Controlled Substances Act System

The Controlled Substances Act (CSA) System was written and implemented in 1971 as the result of the Controlled Substances Act of 1970. The CSA system is designed to monitor the registration of all persons or organizations who manufacture, distribute, or dispense controlled substances and is used for reference and background inquiries. The system generates order forms, renewal applications, registration certificates, order form requests, and registrant delinquency lists. Information contained in CSA is also used by the U.S. Attorneys and state and local judicial authorities in the prosecution of criminal and civil cases.

The CSA system has been operating in the Model 204 Data Base environment for nearly eleven years and is four years beyond the end of its projected and recommended life-cycle. A number of enhancements have been added to the system including the three year registration and fees for all practitioners. The recent enactment of new legislation requiring the registration of Mid-Level practitioners has placed added burdens on an already over-tasked system.

Resources are vitally needed to redesign, develop, and implement a new system that will take advantage of the state-of-the-art technology, including personal computer technology for customizing reports and generating graphics, allowing users to exploit the system in a true client/server environment and incorporate Model 204 enhancements that have become available in recent years but due to the age of the system could not be adopted. In addition, the Data Dictionary must be populated to assure standardization of information across the various systems in order to facilitate information sharing.

INITIATIVE			
General Accounting Unit Support			
Proposed Action	Perm. Pos.	FTE	Amount
This initiative seeks to address the following objectives:	1	1	\$66
1. Produce accurate financial statements suitable for external audit in compliance with the Chief Financial Officers Act of 1990 and the Government Management Reform Act of 1994.			
2. Centralize diversion financial functions of the Drug Diversion Control Fee Account (DDCFA) and provide oversight of the diversion financial duties currently performed in the General Accounting Unit.			

General Accounting Unit Support

The one accountant position assigned to the DDCFA is fractionalized among several functions and positions within the General Accounting Unit. The functions performed include: recording receipts and disbursements; preparation of the SF 133, "Report on Budget Execution" for the DDCFA; monitoring returned checks for accounts receivable purposes; reconciliation of DDCFA payroll; tracking unprocessed checks due to insufficient funds; and reconciliation of DDCFA transactions reflected on the TFS-6653, "Undisbursed Appropriation Account Ledger".

An additional accountant position is needed to prepare external financial reports associated with the DDCFA, report and monitor fixed assets, and perform cash reconciliation of the DDCFA. This position is also needed to coordinate DDCFA financial functions within the General Accounting Unit.

The majority of the additional accountant's time will involve detailed reviews of the Standard General Ledger (SGL) of the DDCFA asset, liability, equity, revenue, and expense accounts. The remainder of the time will be required to prepare cash reconciliations. This function involves the reconciliation and resolution associated with fees collected, reported to the Department of the Treasury, and recorded in DEAS. These functions are mandatory to produce accurate financial statements suitable for external audit.

ORGANIZATIONAL GOAL 1: Prevent legitimately produced controlled substances from being diverted into illicit channels.							
PERFORMANCE INDICATOR INFORMATION				PERFORMANCE TARGETS AND ACTUAL RESULTS			
Type of Indicator	Performance Indicators			1993 Actual	1994 Actual	1995 Actual	1997 Estimate
Input	1. Domestic Diversion Investigative Workhours						
	a) Criminal Cases	262,091	248,427	260,480	261,908	267,031	
	b) Complaint Cases	128,878	114,916	108,193	123,784	128,141	
Output	c) Other Cases	133,223	124,480	126,184	148,099	148,878	
	2. Diversion Investigator (Drug & Chemical) FTE	404	381	382	422	430	
	3. Investigations						
Intermediate Outcome	a) Criminal	2,013	1,610	1,605	1,754	1,788	
	b) Pre-registered	1,271	1,260	1,315	1,533	1,543	
	c) Cyclic	816	809	844	844	860	
	4. Permits & Declarations Issued for Legitimately Manufactured Drugs						
	a) Import/Export Declarations	2,889	3,143	4,286	4,973	5,087	
	b) Import/Export Permits	1,689	1,865	2,570	2,898	3,053	
	5. Procurement and Manufacturing Quotas	1,262	1,013	1,101	1,263	1,308	
	6. Registrations Processed	263,089	341,367	328,573	383,033	390,294	
	7. Assets	428	352	444	518	527	
	8. Assets Seized (\$m)	87.2	\$18.7	\$9.1	\$10.0	\$10.0	
	9. Orders to Show Cause	168	136	104	80	81	
	End Outcome	10. Letters of Admonition	341	337	328	319	311
11. Criminal and Civil Fines (\$ 000)	\$4,102.0	\$8,662.0	\$8,660.0	\$11,529.2	\$11,747.8		
12. Convictions	266	271	240	280	286		
A. Definition of Terms or Explanation for Indicators:							
<p>1. Trends: Export permits and declarations are expected to continue increasing fairly steadily, but are not expected to increase significantly unless a new drug is added to CSA Schedule II.</p> <p>2. Until the establishment of a budget for Drug Diversion, it was not necessary to keep separate statistics on Drug and Chemical Diversion work. Consequently, the Input Indicators, Criminal Investigations, Assets, Seizures, Criminal and Civil Fines include both Drug and Chemical Statistics.</p>							

**Drug Enforcement Administration
Revenues of the Drug Diversion Control Fee Account**

REGISTRATION FEES

DEA and its predecessor have collected fees pursuant to 21 U.S.C. Section 821 since 1971, which allows the Attorney General to collect fees relating to the registration and control of the manufacture, distribution and dispensing of controlled substances. In accordance with the Appropriations Act of 1993, these fees were increased by a factor of 3.5 to recover the entire cost of the program beginning in 1994.

DEA has established a fee cycle of three years to allow for an equitable distribution of fees across the entire registrant population (over 900,000), accommodate such factors as inflation, an uneven number of applicants in each of the individual years, and minimize the administrative burden associated with establishing a fee schedule. The three-year cycle impacts most of the registrant population. Inherent in the system is the need to establish reserves early in the cycle as a hedge against inflationary pressures and inconsistent annual fee income. Therefore, the fees collected in any given year may deviate measurably from the budget needs of the program for that year. (See Chart "Revenue Against Planned Obligations")

To collect the required \$87.1 million in FY 1994 the final fee structure was revised to 3.5 times the existing fee as follows:

(a) manufacturers.....	\$ 875 per annum
(b) distributors, importers, exporters.....	\$ 438 per annum
(c) dispensers/practitioners.....	\$ 70 per annum (also payable every three years as \$210)
(d) researcher.....	\$ 70 per annum
(e) chemical analysis.....	\$ 70 per annum
(f) narcotic treatment.....	\$ 70 per annum

Most of the DEA registrants are practitioners and hospital/clinics. The annual impact of the fee increase on these activities is \$50.00 per registration year. The cost ratio that exists between the various types of registrations has remained the same since 1971. The Federal Register proposing the new fee structure to carry out the Justice and Related Agencies Appropriation Act, 1993, specifically noted that DEA would not alter this fee ratio since the administrative structure to collect it was well established and operating efficiently.

ACCOUNT BALANCE

For a variety of reasons there has been a growing balance of funds carried forward since FY 1993. First, actual collections exceeded original estimates. Contributing factors include: additional mid-level practitioner registrations; the fact that certain exemptions were lifted in 1994; and other population variables for which the program had no history. The collection projection on the chart "Revenue Against Planned Obligations" accounts for these changes.

Second, the program has had a considerable number of vacancies, the majority of which will be filled by the end of FY 1996. If planned hiring comes to fruition, the funding for these positions carries forward until the positions are filled.

Finally, DEA and the Department of Justice were reluctant to alter, in any way, the basis on which the program costs were determined and fees established while the new fee structure was in its infancy. Funds were not reprogrammed to offset the unutilized payroll funds which would have decreased this account balance. This was due to the initial uncertainty of the program costs and annual receipts in this three-year collection cycle.

Drug Enforcement Administration
Drug Diversion Control Fee Account
Revenue Against Planned Obligations
(Dollars in thousands)

	FY 1993 ACTUAL	First Cycle FY 1994 FY 1995 FY 1996		Second Cycle FY 1997 FY 1998 FY 1999		Third Cycle FY 2000 FY 2001 FY 2002	
		ACTUAL	ACTUAL	ACTUAL	ACTUAL	ACTUAL	ACTUAL
1. Anticipated Collections	\$34,201	\$68,809	\$61,268	\$60,200	\$71,800	\$63,300	\$62,100
2. Planned Obligations							
A. Base Budget:							
Pay	...	...	33,931	35,185	36,683	38,203	39,807
Non-pay	...	...	28,310	28,310	29,074	29,858	30,668
Total	...	...	62,241	63,495	65,757	68,062	70,473
B. Program Enhancements							
Pay	...	...	...	102	106	111	115
Non-pay	...	...	...	4,227	4,341	4,458	4,579
Total	...	...	...	4,329	4,447	4,569	4,694
C. Total Planned Obligations	27,000	47,871	63,284	67,824	70,185	72,831	75,167
3. Prior Year Obligations	...	...	(327)	...	...	...	...
4. Fiscal Year Balance	7,201	21,738	8,281	(2,041)	3,976	(6,885)	(10,631)
5. Cumulative Treasury Balance	7,201	28,939	37,230	35,189	39,165	32,280	21,749
						18,383	3,887
							(14,532)

Notes:

1. Planned Receipts includes all registration fees collected, including the \$16,000,000 scored to the General Treasury and Reimbursed to the DDCFA.
2. Line 2C, Total Planned Obligations includes the \$16,000,000 scored to the DEA Salaries and Expenses Appropriation (law the 1990 BEA) for Drug Diversion Control activities. These funds are provided to the DDCFA via a reimbursable agreement until 1998. After 1998, the funds will be transferred each year to the DDCFA.
3. Line 4, Fiscal Year Balance reflects the balance of the receipts less obligations each year.

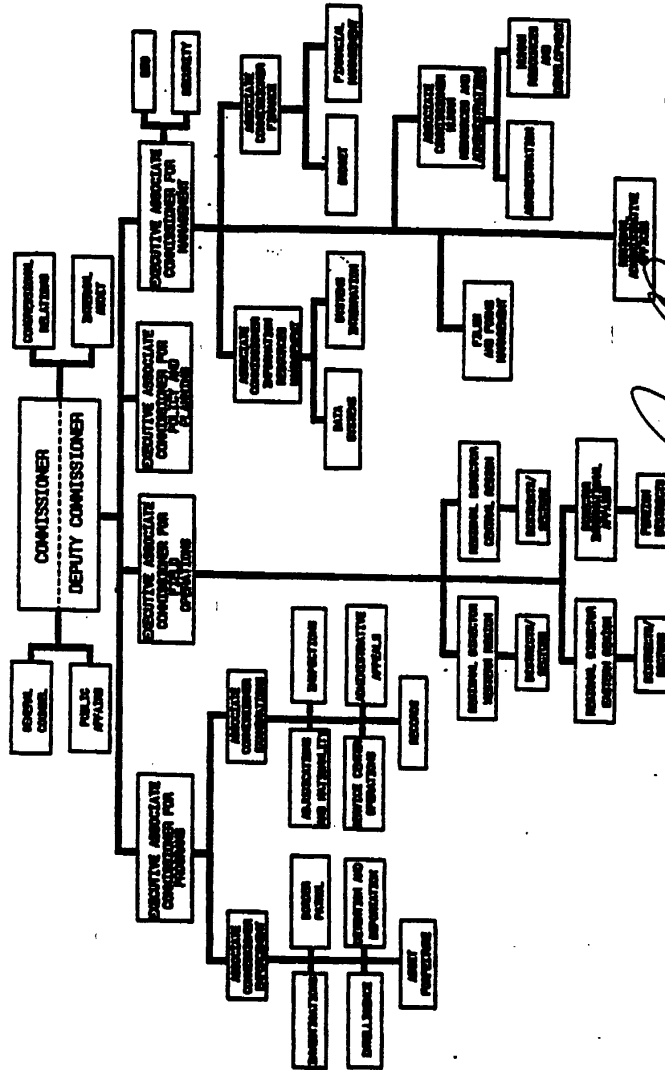
Drug Enforcement Administration
Drug Diversion Control Fee Account
Summary of Changes
(Dollars in thousands)

	Perm. Pos.	FTE	Amount
1998 Conference Allowance.....	595	591	\$47,241
Transfer from the DEA Salaries and Expenses Appropriation .....	...	...	15,000
1998 Appropriation Anticipated	595	591	62,241
Adjustments to Base:			
Transfers to and from Other Accounts:			
DEA Salaries and Expenses Appropriation .....	...	...	(15,000)
Total, Transfers .....	...	...	(15,000)
Increases:			
1997 Pay Raise and Locality Pay Adjustment .....	...	...	736
Annualization of 1998 Locality Pay Adjustment .....	...	...	100
Annualization of 1998 Pay Raise .....	...	...	253
Within-grade Increases (WGI) .....	...	...	165
Total, Increases .....	...	...	1,254
1997 Base	595	591	48,495
Program Changes:			
Program Increases.....	3	3	4,320
1997 Estimate	598	604	52,824

**Department of Justice
Immigration and Naturalization Service
Salaries and Expenses
Estimates for Fiscal Year 1992
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IMMIGRATION AND NATURALIZATION SERVICE



Approved: *[Signature]* Date: *January 14, 1944*
 JAMES HEND
 Attorney General

Immigration and Naturalization Service

Salaries and Expenses Summary Statement Fiscal Year 1997

The Immigration and Naturalization Service (INS) is requesting a total of 16,567 permanent positions, 15,151 workyears, and \$1,683,914,000 in its Salaries and Expenses Appropriation. This request represents an increase of 1,143 positions, 1,796 workyears, and \$289,089,000 over the FY 1996 appropriation anticipated of \$1,394,825,000.

The total program increases for FY 1997 are 1,578 permanent positions, 697 workyears, and \$211,143,000. The requested resources in the Salaries and Expenses Appropriation will enable the INS to continue implementation of the Administration's comprehensive immigration reform effort begun in 1993, including continued efforts to regain control of our borders both through enhanced border control and by facilitating legal border crossings. With these resources, the INS will also continue its efforts to restrict public benefits to illegal immigrants, step up repatriation of deportable aliens, encourage immigrants who are in this country legally to become naturalized citizens, and provide improved services to the public, especially to those seeking to become U.S. citizens.

The requested increases in the Salaries and Expenses Appropriation, combined with resources provided in the Violent Crime Reduction Programs and INS Fee accounts, will enable the INS to manage the nation's immigration system more effectively and implement its major initiatives. These initiatives include: Restoration of Infrastructure, Border Facilitation and Control, Removal of Criminal and Non-Criminal Aliens, and Worksite Enforcement. The increases associated with each of these initiatives follows.

Border Facilitation and Control

The FY 1997 request includes 1,031 positions, 420 workyears, and \$121,757,000 to support the Southwest Border Initiative, to provide facilitation and control at land ports-of-entry, and to provide support for prevention through deterrence.

INS requests 964 positions, 386 workyears, and \$110,514,000 to allow INS to build on the successes of continuing campaigns against illegal border activities, such as Operations Gatekeeper and Hold-The-Line, and the proven effectiveness of INS' overall Strategic Border Control

Plan. This request will provide the personnel and monetary assets needed to move into Phase III of the Plan, and extend concerted control efforts into Texas, New Mexico, Arizona and the eastern portion of the California-Mexican border. Specifically this request includes: 700 additional Border Patrol agents and 110 support personnel (810 positions, 324 workyears, and \$97,214,000); 150 Land Border Inspectors (150 positions, 60 workyears, and \$12,300,000); and 4 positions, 2 workyears, and \$1,000,000 to pilot an automated arrival/departure system for pedestrian crossers. This request also include funding for 126 previously authorized, but unfunded, Border Patrol agent positions, whose funding was gradually eroded by reductions to base funding and cost absorptions. These resources will support the multi-year plan targeting border enforcement along the Southwest border.

This initiative also supports the INS "prevention through deterrence" strategy by providing 37 positions, 19 workyears, and \$5,000,000 for Investigations (8 Special Agents), Intelligence (6 Special Agents, 7 Intelligence Research Specialists, and 2 Forensic Document Analysts), and International Affairs and Outreach (14 Immigration Control Officers) for anti-smuggling efforts and field intelligence work. These resources are required to counter the increased dependency of the illegal crosser on smuggling organizations. Additionally, this request provides for 30 positions, 15 workyears, and \$6,243,000 for corresponding workload increases in the Detention and Deportation program (12 positions, 6 workyears, and \$5,000,000) and the Management and Administration program (18 positions, 9 workyears, and \$1,243,000).

Reasons Infrastructure

For FY 1997, INS seeks an increase of 272 positions, 140 workyears, and \$38,964,000 to address infrastructure requirements for staffing deficiencies and other ancillary needs. With 18 positions, 18 workyears, and \$3,079,000 INS will establish an Environmental Safety and Occupational Health Program. An additional 113 positions, 50 workyears, and \$10,866,000 will provide support to the Legal Proceedings Program for addressing workload as a result of expanded responsibilities including workload resulting from additional EOIR judges. This initiative also includes 9 positions, 5 workyears, and \$5,380,000 for the Training program to provide support for the long-range career development of journeyman employees. It also helps fund initial development of courses and technology that will allow INS to implement distributive learning modules. These modules will permit service-wide training to be conducted at or near employees' duty stations and significantly reduce time and travel costs presently associated with officer cross-training and continuing education requirements.

Finally, an additional 132 positions, 67 workyears, and \$19,640,000 is requested to provide administrative support in the field (92 positions, 46 workyears, and \$4,961,000) and meet Information and Resource Management requirements for training of new staff on automated systems (\$4,275,000), computer security (6 positions, 3 workyears, and \$490,000) contract support in the field (19 positions, 10 workyears,

and \$7,576,000), and headquarters management support (1 position, 1 workyear, and \$70,000). The remaining request of 14 positions, 8 workyears, and \$2,268,000 will support the Internal Audit (7 positions, 4 workyears, and \$727,000), Security (2 positions, 1 workyear, and \$141,000), and Equal Employment Opportunity (5 positions, 3 workyears, and \$1,400,000) programs.

Removal of Criminal and Non-Criminal Aliens

INS requests a total of 74 positions, 37 workyears, and \$20,422,000 to continue its efforts in criminal and non-criminal alien removals. The FY 1997 request will enable INS to enhance its ability to identify, locate, and remove criminals and other deportable aliens. INS anticipates removing approximately 93,000 aliens in FY 1997, an increase of 50 percent over the number of anticipated removals in FY 1996. A total of 70 positions, 35 workyears, and \$10,000,000 are requested for the local jail initiative. Also, 4 positions, 2 workyears, and \$10,422,000 are requested for activation of 700 new detention beds in Texas and Florida.

In FY 1997, INS will expand the local jail initiative to include Rikers Island, New York, San Diego County, California, and county jails in Florida and Texas. The effort is designed to assist local authorities to reduce jail overcrowding, reduce overloaded dockets, and remove deportable inmates from the United States.

Reducing the "Job Magnet" for Illegal Entry

Each year, the U.S. draws thousands of illegal immigrants through the powerful magnet of jobs here in the United States. Requirements to employ only authorized workers and systematically verify employment eligibility of all new hires has been a strategy of the INS for immigration control and deterrence for several years now. However, if the INS is to have a comprehensive approach to controlling illegal immigration, it must also reduce the magnet effect of lucrative jobs in this country by encouraging compliance, fining violators, and deporting unauthorized workers. The FY 1997 request includes 201 positions, 100 workyears, and \$30,000,000 to reduce the "job magnet" for illegal aliens who are drawn each year to this country. The request includes funding to enhance employment verification efforts and to further build upon INS' worksite enforcement initiative.

A total of 69 technical and clerical specialist positions, 35 workyears, and \$10,000,000 is requested for employment verification. This request will enable the INS to expand its Verification Information Systems (VIS) to provide an accurate and quick look at employment status. This funding will also support expansion of verification pilot programs, improvement of immigration records supporting VIS, and the design of improved verification business practices.

The request also supports a total of 132 positions, 63 workyears, and \$20,000,000 to increase the INS workforce enforcement presence. Worksite enforcement and employer sanctions are vital to dampening the lure of illegal employment in the United States. The request expands concentrated worksite enforcement by adding 92 Special Agents, 5 Detention Enforcement Officers, 7 Deportation Officers, 4 Forensic Document Analysts, 2 program analysts, 2 legal support positions, and 20 administrative support positions.

**Immigration and Naturalization Service
Salaries and Expenses
Justification of Proposed Changes in Appropriation Language**

The 1997 budget estimates include proposed changes in appropriation language listed and explained below. New language is underscored and deleted matter is enclosed in brackets.

Salaries and Expenses

For expenses not otherwise provided for necessary for the administration and enforcement of the laws relating to immigration, naturalization, and alien registration, including not to exceed \$50,000 to meet unforeseen emergencies of a confidential character, to be expended under the direction of, and to be accounted for solely under the certificate of the Attorney General, purchase for police-type use of not to exceed 2,574 motor vehicles, of which 1,711 will be for replacement only, without regard to the general purchase price limitation for the current fiscal year, and hire of passenger motor vehicles, acquisition, lease, maintenance and operation of aircraft, and research related to immigration enforcement: \$1,683,916,000, of which not to exceed \$400,000 for research shall remain available until expended, of which not to exceed \$20,000,000 shall be available until September 30, 1998 to improve the accuracy of Immigration and Naturalization Service records and to develop verification pilot projects, and of which not to exceed \$13,100,000,000 shall be for costs of basic officer training, (1) \$20,000 shall be for official reception and representation expenses, and (2) \$5,000,000 is for payments or advances making out of Government or reimbursable agreements with State and local law enforcement agencies while engaged in cooperative activities related to immigration. Provided That no funds available in the Service shall be available to pay any employee overtime pay in an amount in excess of \$30,000 during the calendar year beginning January 1, 1997, except in instances such when the Commissioner determines that enforcing that overtime provision would harm enforcement or service activities. Provided further, That uniforms may be purchased without regard to the general purchase price limitation for the current fiscal year. Provided further, That 8 U.S.C. 1358 (a)(5)(A) is repealed. Provided further, That Section 406(b)(2)(A) of the Immigration and Nationality Act, as amended, is amended by adding "The Immigration and Naturalization Service and" after "the reimbursement of" and by adding "the Immigration and Naturalization Service and" after "as required by the Attorney General, in". Provided further, That obligated and unobligated balances available in "Salaries and Expenses, Community Relations Service" under Section 501(c) of the Refugee Education Assistance Act of 1980 are transferred in this heading and shall remain available until expended (94 Stat. 96-98, 22 U.S.C. 1621-1645; 50 U.S.C. App. 2001-2017, P.L. 104-91, as amended).

Note--A regular 1996 appropriation for this account has not been enacted at the time this budget was prepared. The 1996 amounts included in this budget are based on the levels provided in the three continuing resolutions: P.L. 104-91, P.L. 104-92, and P.L. 104-99.

1. Language in the final "provide further" clause, which would move balances of the Cuban and Haitian Entrant Program to INS, was added after preparation of the appropriations language included in the President's budget appendix.

2. The President's budget appendix included language for both the repeal and extension of the Land Border Pilot Project. Only one is necessary; hence, the repeal language is reflected above.

Immigration and Naturalization Service
Salaries and Expenses
Summary of Requirements
(Dollars in thousands)

	1996 Conference Allowance		1997 Base		1997 Request		Increase/Decrease	
	Perm.	XY	Perm.	XY	Perm.	XY	Perm.	XY
Adjustments to base:								
1996 Conference Allowance	15,424	13,078						
Adjustment in Workyear								
Base Salary Increase		623						
Transfer to the U.S. Maritime Service (Transportation System)								
Transfer of funding to Violent Crime Reduction Programs for the Detention and Deportation Program								
Redistribution for mail management and financial operations								
Streamlining								
Unfunded ceiling reduction								
Increases (automatic, non-policy)								
1997 Base	15,424	13,078	12,863	12,191	13,849	12,862	1,196	501
Program Changes (See Program Narrative for Details)								
1997 Request	15,424	13,078	12,863	12,191	13,849	12,862	1,196	501
Estimate by budget activity								
1. Enforcement	12,869	10,904	12,869	10,904	12,869	10,904		
2. Citizenship and Benefits	27	12	27	12	27	12		
3. Immigration Support	1,547	1,391	1,547	1,391	1,547	1,391		
4. Program Direction	881	1,018	881	1,018	881	1,018		
Total	15,424	13,355	14,990	14,454	15,967	15,151	1,576	697

[illegible]

Immigration and Naturalization Service
Salaries and expenses
Program Performance Information
Government Performance and Results Act Requirements

Mission: The Immigration and Naturalization Service (INS): 1) facilitates entry of those legally admissible as visitors or immigrants and grants them benefits to which they are entitled; 2) prevents improper entry and the granting of benefits to those not legally entitled to them; 3) apprehends and removes those aliens who enter illegally and/or whose stay is not in the public interest; and 4) enforces sanctions against those who act or conspire to subvert the requirements for selective and controlled entry, including sanctions against employers who knowingly hire aliens not authorized to work in the United States.

General Goals:

- 1) **Border Control and Facilitation**
INS will regulate entry to the United States in a manner that facilitates lawful travel and commerce while ensuring border integrity.
- 2) **Integrated Enforcement**
INS will have a balanced, integrated enforcement approach to expedite identification, apprehension, and removal of illegal aliens.
- 3) **Disincentives for Unlawful Migration**
INS will maximize deterrents to unlawful migration by reducing the incentives of unauthorized employment and entitlements and use of fraudulent documentation.
- 4) **INS Benefits and Service**
INS will deliver services in a manner which shows we highly value our public. Services will be timely, consistent, fair, and of high quality.
- 5) **Effective Workforce**
INS will develop a motivated, well-trained, and diverse workforce.
- 6) **Resource Management**
INS will manage resources to accomplish our mission effectively, using results-oriented workload and productivity measures.

- 7) **Policy Leadership**
INS will develop and maintain a leadership role with respect to policy decisions on migration issues.
- 8) **Application of Technology**
INS will use ADP and other emerging technologies to support an efficient, effective, and integrated operational environment.

Streamlining Initiatives: INS will reduce a total of 111 workyears in FY 1997 in the Inspections, Detention and Deportation, Information and Records Management, and Management and Administration programs through the following streamlining initiatives:

- 1) Contracting out of Detention Activities - INS will pursue its use of contractor-owned and operated facilities and contract personnel in its detention operations.
- 2) Customer Service - INS will continue its efforts to automate telephonic information activities to provide better contact services with the public.
- 3) Office Structure Review - Administrative and facility support functions in Regional Offices, Administrative Centers and Headquarters will be reviewed in order to eliminate duplications of management and support functions.

Immigration and Naturalization Service
Salaries and expenses
Program Performance Information
(Dollars in thousands)

ACTIVITY: ENFORCEMENT

	Perm. Pos.	FTE	Amount
Inspections			
1996 Appropriation Anticipated	1,393	1,523	\$121,783
1997 Base	1,388	1,718	139,106
1997 Request	1,542	1,780	152,406
Increase/Decrease	154	62	13,300

BASE PROGRAM DESCRIPTION:

- The Inspections Program includes the resources necessary to ensure that the entry of applicants for admission into the U.S. is controlled in a manner that is consistent with the national interest, facilitates the entry of qualified applicants and identifies and denies admission to those not qualified.
- This program enforces and administers the immigration and nationality laws with respect to the inspection of all persons seeking admission into the U.S. The process is coordinated with the Department of State, the U.S. Customs Service, the Department of Agriculture, and local port authorities. Determination of inadmissibility is based on examination of the applicant, related documents, and/or prior information. National and local lookout systems containing information relating to excludable aliens are available for use at each port-of-entry. Inadmissible aliens are denied entry into the U.S. Any criminal activity discovered in the inspection process is referred to the appropriate law enforcement authority for investigation.
- The program also is responsible for inspecting (in cooperation with other Federal agencies) all applicants for admission into the U.S. at land border ports-of-entry, preventing the entry of inadmissible applicants, and for detecting fraudulent documents, including those representing false claims to U.S. citizenship or permanent residence status and seize conveyances used for illegal entry. (Funding for inspections at air and sea ports-of-entry is included in the Immigration User Fee account.)

ACTIVITY: ENFORCEMENT

Border Patrol	Perma.	FTE	Amount
1996 Appropriation Anticipated	6,383	5,534	\$596,796
1997 Base	6,383	6,110	538,003
1997 Request	7,193	6,434	635,217
Increase/Decrease	810	324	97,214

BASE PROGRAM DESCRIPTION:

- The Border Patrol is responsible for ensuring that the entry of persons into the U.S. between ports-of-entry is controlled in a manner that is consistent with the National Interest as established and provided by Congress, by preventing entry of persons who have not been inspected and by detecting and apprehending illegal aliens within the U.S.
- The Border Patrol has primary responsibility for drug interdiction between the ports-of-entry. Border Patrol officers engaged in surveillance activities to prevent entry or apprehend those who have illegally crossed the borders are supported by computer-monitored electronic ground sensors which alert them to illegal entries. Additional support is provided by observation aircraft, low light level television systems and infrared viewing devices. Border Patrol officers use a wide assortment of vehicles adapted to local terrain and operational requirements, including motorcycles, all-terrain vehicles, boats, and horses. Line-watch traffic check operations are conducted along major routes of travel to restrict access to the interior by illegal aliens. Transportation centers are placed under surveillance for the same reason.
- The Border Patrol conducts numerous interagency drug task force operations with other Federal, State and local law enforcement agencies through its participation in Operation Alliance along the Southern border. To further assist the Border Patrol in this endeavor, all Border Patrol agents receive Drug Enforcement Administration Title 21 cross-designated authority in their basic training in Glynnco, Georgia.
- Border Patrol Agents deter uncontrolled entry into the interior of the U.S. by the rapid detection, interception, and apprehension of illegal entrants at or near the border, interdict drug smugglers, potential terrorists and criminals or deter them from attempting illegal entry between ports-of-entry, and cause persons seeking admission into the United States to present themselves at designated ports for inspection.

ACTIVITY: ENFORCEMENT			
	Perm. Pos.	FTE	Amount
Investigations			
1996 Appropriation Anticipated	2,591	1,860	\$211,812
1997 Base	2,591	2,164	232,249
1997 Request	2,724	2,234	251,612
Increase/Decrease	143	70	19,363

BASE PROGRAM DESCRIPTION:

- The Investigations program functions include detecting criminal law violations and identifying violators through covert operations and other investigative procedures, and initiating criminal prosecution or administrative action. Many of the cases investigated involve violators associated with large-scale, highly-organized criminal conspiracies and quite often involve illegal activities, such as racketeering, alien smuggling, counterfeiting, prostitution, official corruption, narcotics, weapons trafficking, and extortion on an international scale.
- The Investigations program is also responsible for investigating activities involving employers who knowingly hire illegal aliens and aliens who enter the U.S. and illegally obtain employment, and for deterring the employment of illegal aliens by identifying and targeting employers of unauthorized workers and then vigorously pursuing administrative and criminal sanctions against them.
- Specifically, this program is responsible for: investigating and apprehending aliens who commit major criminal offenses, with emphasis on international criminal alien organizations involved in narcotics trafficking, subversion, terrorism, alien smuggling, and other serious or violent criminal activities; prosecuting aliens who illegally apply for and collect benefits from government entitlement programs; preventing the filing of fraudulent claims and supporting civil proceedings to recover benefits illegally obtained; providing investigative support to other INS branches by locating aliens who have absconded from deportation or exclusion proceedings; and developing grounds for denial of petitions and applications, and obtaining government evidence for administrative proceedings.

- The INS also is focusing its efforts on violent criminal alien gangs in designated cities where INS special agents, frequently in coordination with other law enforcement officials, seek to identify, apprehend, convict, and remove from the country alien members of these criminal groups and ultimately dismantle their organizations. The Investigations program will continue its commitments to the Interagency Crime and Drug Enforcement organization, (previously known as the Organized Crime Drug Enforcement task force) and the Violent Gang Task Force (VGTTF) efforts and work in coordination with other Federal, State, and local law enforcement agencies to place serious criminal offenders who are aliens into deportation proceedings, and, where applicable, remove them from the U.S.
- Criminal Aliens: The Immigration Reform and Control Act Of 1986 and other statutes mandate expeditious identification and processing of aliens convicted of deportable offenses. To this end, the program identifies criminal aliens incarcerated in Federal, State and local prisons to facilitate their deportation upon completion of their sentences. The Investigations program works in close coordination with the Executive Office for Immigration Review (EOIR) to improve and expand, where necessary, the Institutional Hearing Program (IHP), so that incarcerated alien felons can be identified and complete the entire deportation hearing process during the period of their incarceration. Upon the completion of their sentences, the aliens can then be immediately removed from the country without entering into INS custody, and thereby eliminating the attendant delay for continued administrative (deportation) hearings. Most importantly, they can be removed without being detained at additional government expense.
- Fraud and Smuggling: The Investigations program discourages illegal immigration through detecting fraud and protect the integrity of benefits and documents legitimately provided to authorized aliens by INS. It prosecutes and deters arrangers, facilitators and smugglers who conspire with and assist aliens to fraudulently obtain immigration benefits or to perpetrate major fraud schemes. In an effort to accomplish this goal, INS is aggressively targeting complex criminal organizations involved in immigration fraud for criminal prosecution. The INS also performs best smuggling investigations, with most of the interceptions occurring outside the U.S.
- Employer Sanctions: Investigations enforcement resources for employer sanctions are primarily directed to lead-driven investigations, although the program conducts a sufficient number of random inspections to gauge the national compliance rate.

ACTIVITY: ENFORCEMENT

	Perm. Pos.	FTE	Amount
Detention and Deportation			
1996 Appropriation Anticipated	2,441	1,957	\$269,854
1997 Base	2,433	2,142	268,370
1997 Request	2,503	2,172	284,752
Increase/Decrease	70	35	26,372

BASE PROGRAM DESCRIPTION:

- The Detention and Deportation (D&D) program is a critical element in the structure of the INS. Its functions are to detain, exclude, remove, parole and deport aliens. INS and non-INS (contract) facilities are used to detain, those aliens subject to deportation or exclusion proceedings who are likely to abscond or whose freedom at-large would clearly represent a danger to public safety and security until they are ready for removal. To perform the deportation function, the INS maintains a system of controls that ensures that every case involving a deportable alien is efficiently and correctly processed and, if necessary, the alien's removal from the country is effected promptly.
- The D&D program promptly removes deportable and excludable aliens and avoids detention to the greatest extent possible. The D&D program tracks the cases through the Institutional Hearing Program (IHP); updates the necessary data base; provides case status updates to inmates and their attorneys; obtains required travel documents; makes the necessary travel arrangements, including notification to foreign governments; executes the warrants of deportation; and physically removes criminal aliens from the country (including providing overseas escorts when necessary to protect the travelling public or to ensure the criminal's arrival at the air-moed destination).
- The D&D program ensures that adequate alien detention capability is available by staffing and maintaining nine Service Processing Centers (SPCs), and detaining aliens, when necessary, in INS contract facilities and non-INS facilities which meet INS standards.
- The D&D program allows other enforcement programs to operate effectively by quickly removing detained aliens. Abscondee Removal Teams further support efforts to remove aliens with final orders of deportation and to locate and remove absconders.

ACTIVITY: ENFORCEMENT

	Perm.	ETE	Amount
Intelligence			
1996 Appropriation Anticipated	61	60	\$6,702
1997 Base	58	57	6,579
1997 Request	77	67	8,667
Increase/Decrease	19	10	1,788

BASE PROGRAM DESCRIPTION:

- The Intelligence program provides strategic and tactical intelligence support to INS offices enforcing the provisions of the Immigration and Nationality Act, (INA) and assists other Federal agencies in addressing national security issues. Intelligence support contributes to efforts to: prevent the entry of illegal aliens, terrorists and narcotics traffickers; detect fraudulent documents, alien smuggling, false claims to citizenship; and to detect other fraudulent activity.
- The Intelligence program provides strategic intelligence assessments to INS management that have long term importance/relevance to the mission of the agency in terms of operations, planning and policy.
- The Intelligence program maintains liaison with appropriate U.S. and foreign government agencies on immigration and national security matters including the movement of known or suspected international terrorists.
- The Intelligence program provides assistance to international law enforcement agencies and international air carriers to detect fraudulent identity documents.
- The Intelligence program provides technical support and assistance to prosecute major document counterfeiters, alien smugglers and other violators of the INA.
- Forensic Document Laboratory: The Forensic Document Laboratory (FDL) is used to identify fraudulent documents and to assist in identifying and removing illegal aliens from the country. This support also includes training State and local law enforcement officers, department of motor vehicles and other State and local authorities in the identification of fraudulent documents.

ACTIVITY: CITIZENSHIP AND BENEFIT

	Perm. Pos.	FTE	Amount
Adjudication and Naturalization			
1996 Appropriation Anticipated	\$500
1997 Base	500
1997 Request	500
Increase/Decrease

BASE PROGRAM DESCRIPTION:

- The Adjudication and Naturalization program examines aliens to determine their qualifications for naturalization, issues citizenship documents, provides for the appearances of INS officials before naturalization courts, and conducts administrative naturalization ceremonies.
- The Adjudications and Naturalization program operations that are funded from the Salaries and Expenses Appropriation provide for the efficient, timely and correct processing and adjudication of naturalization applications.
- A naturalization pilot project was developed in urban and rural areas of Southern California allowing the INS to encourage and promote naturalization through public education programs, with community-based organizations, ethnic group networks, and educational institutions assisting qualified persons in preparation of applications and in studying for civics and language tests. The INS will also use information gained in these efforts to streamline the naturalization process.
- The portion of this program funded from the Immigration Examination Fee Account performs functions in addition to those listed here.

ACTIVITY: CITIZENSHIP AND BENEFITS

	Perm. Pos.	FTE	Amount
International Affairs			
1996 Appropriation Anticipated	27	12	\$6,259
1997 Base	27	12	6,348
1997 Request	41	19	8,603
Increase/Decrease	14	7	2,255

BASE PROGRAM DESCRIPTION:

- **Enforcement Activities:** In coordination with the Department of State, the Coast Guard, and other components of the Department of Justice, the Office of International Affairs actively participates in working with foreign governments to monitor the movement of groups being smuggled into the U.S.
- The placement of INS staff overseas allows the INS to establish and maintain an effective long-term working relationship with host country migration authorities, consular officers, and enforcement organizations. This relationship, coupled with a working knowledge of cultural, social and economic conditions in the area, enables officers to gather intelligence information and coordinate enforcement operations which have a significant positive impact on INS domestic operations.
- INS Overseas personnel, through coordination with domestic INS offices, Border Patrol Sectors, other U.S. Government agencies, host country governments, airline officials, and other non-government entities, will pursue a proactive international enforcement strategy to identify, investigate, deter, disrupt and robort, illegal activities at their source, and at key overseas transit locations used by smugglers and mule fide aliens bound for the U.S.

ACTIVITY: IMMIGRATION SUPPORT

	Perm.		FTE	Annual
	Pos.			
Training				
1996 Appropriation Anticipated	75	73		\$9,648
1997 Base	69	67		9,193
1997 Request	73	71		10,573
Increase/Decrease	9	5		5,380

BASE PROGRAM DESCRIPTION:

- The Training program provides the staff and the resources necessary to maintain an employee development program that meets the diverse training needs of the INS workforce. Training requirements are identified annually and are revised, as needed, due to new regulations, legislation, or organizational needs. The program is accomplished in a variety of ways: through residential training at the Federal Law Enforcement Training Center (FLETC) at Glynnco, Georgia (basic officer training) and at Artesia, New Mexico (journeyman officer training); through programs conducted by other Federal agencies; by private contractors; or in combined presentations using INS and non-INS resources.

- INS is currently in the process of activating a satellite training facility at Charleston Naval Base, South Carolina. By Congressional direction, this facility will be utilized primarily for Border Patrol Agent basic training. Pending completion of a eas dedicated to training unique to the Border Patrol, the facility will be used as an interim training facility for portions of the Immigration Officer basic training course. The first Immigration Officer class will report in mid-March 1996. The first Border Patrol class is scheduled to begin in August 1996. Because of the late enactment of full-year funding for INS, a variety of extraordinary measures have been instituted in scheduling, staffing, and budget allocation, in order to accommodate the maximum number of students possible (with absolute priority being accorded to the student Border Patrol agents).
- By the end of FY 1996, the Charleston facility will be used exclusively for Border Patrol training. Up to five Border Patrol classes will be conducted at the Federal Law Enforcement Training Center (FLETC) at Glynco, Georgia. All other INS officer training, both basic and journeyman, will be conducted at one of the FLETC facilities at Glynco, Georgia or Artesia, New Mexico, or will be provided via exportable modules at students' duty stations.
- The Training program ensures basic training for all new officers and advanced and technical training for journeyman officers, and periodically updates curricula for the basic and advanced training programs.
- The Training program provides mandatory training for INS supervisors, managers, management officials and executives, and provides progressive technical and specialized training for professional, technical, and clerical personnel who support agency operations.

ACTIVITY: IMMIGRATION SUPPORT

Data and Communications	Perm.		Amount
	Pos.	FTE	
1996 Appropriation Anticipated	180	171	\$56,443
1997 Base	146	139	57,390
1997 Request	171	152	69,731
Increase/Decrease	25	13	12,341

BASE PROGRAM DESCRIPTION:

- The Data and Communications Program provides direct support for operational programs as well as administrative support functions of the Service. There are seven major technology programs (initiatives) included under the Data and Communications Program plus the functions collectively known as Information Resources Management (IRM) Operations. The seven program areas, each of which consist of one or more projects in addition to the normal operations and maintenance required for existing systems and technologies, are: 1) Infrastructure 2) Examination Systems, 3) Inspection Systems, 4) Enforcement Systems, 5) Biometric Identification Systems, 6) Corporate Information Systems, and 7) Management Systems (financial and administrative). IRM Operations includes the functions necessary to support the activities of the Data and Communications Program. Through development and implementation of these initiatives, the Service will improve the effectiveness and efficiency of Service functions through use of automation, provide for the operation of data and communications networks, and provide radio communications, telephone call handling, intrusion detection sensors, and electronic security equipment and systems. INS automation efforts are designed to directly support efforts to control the borders of the United States, reduce incentives for unauthorized employment and benefits, and remove criminal and non-criminal aliens. In FY 1997, INS will continue to place an emphasis and priority on its role as a repository of the Nation's records on immigrants, visitors, and illegal entrants as well as on meeting the customer needs for enhanced technology services and information. A brief description of each of the seven major automation programs follows.

Infrastructure

- The infrastructure program will provide a standard office automation platform for all INS sites to support interoperability. The standard office automation platform was designed to provide the INS workforce with the basic office automation capabilities to effectively and efficiently communicate initiatives, share data, and produce professional products that support customer requirements. By the end of FY 1996, infrastructure will be installed and/or initiated at 235 sites (36% of INS sites). In FY 1997, INS expects to install this standard infrastructure at an additional 376 sites (the remaining 59% of INS sites). Additionally, the Service will continue its migration to router and other communications technologies as the new infrastructure is deployed.

Examination Systems

- The Examination systems incorporate all individual casework-oriented subsystems that support the processing of applications and petitions for Immigration benefits and associated processes such as the production of immigration documents. These include employment authorization, asylum, resident alien processing, and citizenship through the Naturalization process.

The Consolidated Linked Application Information Management System (CLAIMS) is a casework system used by the Service to receipt applications, deposit fees, and capture data through conventional data entry, 2D bar code scanning, or optical character recognition (OCR). The application is then forwarded for adjudication and the candidate is scheduled for an interview, if applicable.

In FY 1997, INS will re-engineer the CLAIMS casework processing system. INS will expand the development effort started in FY 1996 to re-engineer the Naturalization function to include additional forms and benefits. The re-engineered system will support 2D bar code scanning, use of debit and credit cards for applications fees, deployment of electronic filing, electronic submission of forms to external agencies, scanning of biometrics such as photograph and fingerprint, immediate check against the INS IDENT lookout data base, electronic access to the A-file and the development of secure state of the art fraud resistant documents. Additionally in FY 1997, the Immigration Card Facility (ICF) will be installed at several ports of entry, resulting in streamlined production of Border Crossing Cards as well as the processing of INS applications.

Inspection Systems

The Inspections System program supports efforts to control admissions at ports-of-entry and enhance the INS inspection function. Two major automation efforts included under this program are the Interagency Border Inspection System (IBIS) and the INS Passenger Accelerated Services System (INSPASS) and the Dedicated Commuter Lane (DCL). IBIS, a system operated jointly with the U.S. Customs Service and Departments of State and Agriculture, is used at ports-of-entry to facilitate inspection and to identify criminals. IBIS is currently installed at major air and land border ports-of-entry. INSPASS is an automated inspection system for low-risk, frequent travelers using automated inspection kiosks. This system is currently installed at several of the nation's major international airports. DCL allows border crossers already inspected by INS to use automated verification instead of manual inspection.

This program will develop and deploy machine readable travel documents which will allow for positive identification of air travelers destined for the United States. A combination of technology and advanced production techniques will produce entry documents that are fraud resistant and easy to use. Profile scanning and a sophisticated worldwide law enforcement network will quickly and accurately identify persons of interest. Smart card technology with positive identification features will facilitate the quick and accurate inspection of low-risk, frequent land travelers. Technology will allow for improved service to the public while increasing the number of inspection hours devoted to high-risk activities.

Enforcement Systems

The Enforcement Systems program includes the Enforcement Case Tracking System (ENFORCE) and electronics support for border control. ENFORCE is an automated case tracking system designed to provide on-line incident-based case processing capabilities, intelligence analysis, detention and deportation processing, statistical management, and enforcement reporting. This system provides automated tools to capture and manipulate data and images, reduces paperwork processing time for administrative cases, and results in increased numbers of agent hours spent performing front-line enforcement activities. In FY 1996, INS will finalize development of ENFORCE including numerous interfaces to inter-INS and external databases and will continue to install ENFORCE in field offices. During FY 1997, INS will deploy ENFORCE Phase II to approximately 100 sites.

BEST AVAILABLE COPY

Under this program, INS also seeks to automate and integrate current manual monitoring capabilities, allowing agents real-time access to alert information, and enhancing agent safety while on patrol. INS has three major automation projects with respect to electronics support for border control. These projects include the Encrypted Voice Radio Program (EVRP), the Computer Assisted Detection and Reporting Enhancement /Intelligent Computer Assisted Detection Program (CADRE/ICAD), and the sensor program supported by the night vision equipment program. For FY 1997, INS intends to continue implementation of EVRP in an additional 18 sites. INS will also continue sustaining engineering of the CADRE/ICAD system and complete additional deployments. Additionally, continued deployment of night vision equipment (LLTV - low light television) will also be managed as required by the Border Patrol.

• Biometric Identification Systems

INS is developing a single fingerprint-based identification system that will enable the Service to rapidly and accurately identify persons of interest. IDENT is the current INS fingerprint-based identification subsystem that will be used by Service law enforcement and benefit systems to assist in the positive identification of persons who are arrested as well as those who apply for benefits, including the identification of travelers referred to secondary inspection processing and for automated inspection. During FY 1996, the INS began deployment of IDENT across the Southwest border. In FY 1997, INS expects to pursue implementation of this technology to expand the IDENT records storage, fingerprint matching capacity, and trends analysis for the existing installed sites along the Southwest Border as well as additional interior enforcement sites. Implementation of benefit and asylum identification will be underway.

• Corporate Information Systems

This program seeks to integrate and consolidate, where appropriate, INS information and enhance records management capabilities while supporting a secure, open system environment. In FY 1997, the INS will continue efforts to re-engineer INS data repository systems to streamline access to alien information. This program will ensure that data collected is correct and will follow the same naming and attribute standards across all agency systems requiring use of the data. In FY 1997, the INS will also develop and deploy a Common User Interface that provides a front-end to existing INS systems as a means to ensure data collection integrity and to streamline access to alien information. INS will also build imaging capability to provide electronic access to INS paper file information and for use in specific programs such as FOIA/PA. New and enhanced statistical capabilities and name search methodology will improve our corporate decision functionality.

Also under this program, the Verification Information system (VIS) will support the confirmation of an alien's immigration status, eligibility for certain entitlement benefits, and authorization to work. In FY 1996, INS plans to expand employer participation in the pilot verification program for employment eligibility from 238 employers to 1,000 employers. In FY 1997, the Service anticipates continued implementation of systems which strengthen Service efforts in the area of workplace enforcement.

- Management Systems
The Management Systems program includes the development, implementation, and maintenance of financial and administrative applications providing decision support information on INS workload, manpower, and financial resources. During FY 1996, INS continued development of plans to implement a cross-servicing agreement for a new financial management system with the U.S. Geological Survey. During FY 1997, the Service plans to implement the core financial and administrative system.
- Information Resource Management Operations
IRM Operations consists of the planning, policy development, acquisition management, computer security, field and program support, and management activities required to support the varied technology requirements of the Service.

ACTIVITY: IMMIGRATION SUPPORT

	Perm Pos.	FTE	Amount
Information and Records Management			
1996 Appropriation Anticipated	746	695	\$55,350
1997 Base	615	568	56,525
1997 Request	684	692	66,525
Increase/Decrease	69	34	10,000

BASE PROGRAM DESCRIPTION:

- The functions of the Information and Records Management Program are to provide responses to inquiries from the public and private sectors, Federal, State, and local agencies, and the various branches of government, by telephone, in-person, and in writing.
- Maintain alien records and files from which data may be readily obtained to respond to requests from both inside and outside the INS.
- Develop guidelines, policies and procedures, and responses to FOIA/PA requests.
- Compile, analyze and evaluate statistics for use in preparing regular and special reports about INS' operations and work accomplishments.

- Coordinate, develop, prepare and review INS' regulations, directives, operating instructions and forms, to ensure that these materials are issued and published in accordance with established Federal regulations and laws; and
- Monitor and ensure internal compliance to standards for systems and service delivery

ACTIVITY: IMMIGRATION SUPPORT

	Perm. Pos.	FTE	Amount
Construction and Engineering			
1996 Appropriation Anticipated	13	12	7,011
1997 Base	13	12	7,154
1997 Request	13	12	7,154
Increase/Decrease	..	..	..

BASE PROGRAM DESCRIPTION:

- The functions of the Construction and Engineering Program include the acquisition, design, construction, alteration, repair, maintenance, and management of all buildings, structures, and facilities for which the INS is the owning or leasing agency. Space is acquired through the General Services Administration (GSA), by lease, by INS construction and through assignment by airport authorities. New inspection facilities are coordinated as necessary with U.S. Customs Service, Public Health Service, Department of Agriculture, GSA, State, county, local and foreign authorities.
- The Construction and Engineering program also is responsible for preparing an annual work space management plan and related rent and obligation estimates for submission to the General Services Administration and the Office of Management and Budget.

ACTIVITY: IMMIGRATION SUPPORT

	Perm. Pos.	FTE	Amount
Legal Proceedings			
1996 Appropriation Anticipated	533	440	\$40,798
1997 Base	510	465	44,506
1997 Request	628	512	55,797
Increase/Decrease	118	54	11,291

BASE PROGRAM DESCRIPTION:

- INS attorneys represent INS before Immigration Judges, the Board of Immigration Appeals, the Merit Systems Protection Board, the Equal Employment Opportunity Commission, and boards of contract appeals. The Legal Proceedings program provides litigation support in agency litigation conducted in U.S. District Courts, Courts of Appeals, and the Supreme Court. Attorneys provide advice to the Commissioner, Regional Administrators, District Directors, and Border Patrol Sector Chiefs on legal matters arising at all levels of agency operations. The attorneys also assist interagency task forces in developing cases and removal strategies for criminal aliens.

The Legal Proceedings program also provides legal support to the following INS programs:

- **Employer Sanctions Program:** The Legal Proceedings program is responsible for the maintenance of the Index of Case Decisions on Employer Sanctions and the Digest of Case Decisions on Employer Sanctions. It issues, compiles, and distributes employer sanctions regulations as a part of the Employer Sanctions Legal Reference Series. The Employer Sanctions Legal Advisory Committee (ESLAC) assists in resolving complex legal issues and provides field offices with input on major employer sanctions legal matters. Experienced sanctions attorneys conduct training in employer sanctions for Special Agents, Inspectors, and Border Patrol Agents at the FLETC facilities in Glynnco, Georgia, and Artesia, New Mexico.
- **Examinations Program:** The Legal Proceedings program issues formal legal opinions and provides legal assistance to all INS attorneys and program managers on an array of immigration issues. The program also reviews legislative proposals, drafts bill reports, and drafts and revises regulations.
- **Refugee and Asylum Law Program:** The Legal Proceedings program provides the direction and supervision for the Asylum Pre-Screening (APSO) program; provides formal legal opinions or other legal advice to INS components on issues arising in connection with the INS' asylum and refugee programs; drafts and reviews regulations, legislative proposals, and management initiatives concerning asylum and refugee processing; and participates in the training of Asylum Officers and Refugee Officers.
- **Enforcement Program:** The Legal Proceedings program emphasizes litigation strategies and removal of criminal aliens, particularly those convicted of aggravated felonies and aliens involved in terrorist activities. Expedited exclusion and deportation of these aliens requires more intensive legal review because of the complexity and number of potential exclusion and deportation charges. INS attorneys are stationed in all district offices to coordinate and help assure the effectiveness of the criminal alien program including the Institutional Hearing Program (IHP).

ACTIVITY: PROGRAM DIRECTION

	Perm. Pos.	FTE	Amount
Management and Administration			
1996 Appropriation Anticipated	981	1,018	\$102,469
1997 Base	956	1,000	106,548
1997 Request	1,103	1,083	118,387
Increase/Decrease	147	83	11,839

BASE PROGRAM DESCRIPTION:

- The Management and Administration program provides management direction and support for the implementation and operation of regional and field activities and functions to those managers and supervisors who are responsible for and exercise authority over multiple programs;
- Executes the provisions of the INA and related policies through the development and implementation of immigration programs and the management of resources;
- Provides for the development, implementation, direction, operation and evaluation of administrative support systems and services that meet internal operational and managerial needs and externally mandated requirements;
- Provides executive direction and control of INS;
- Furnishes accurate and prompt responses to Congressional and public inquiries; performs audits, conducts internal investigations, provides informational responses to inquiries from GAO, OIG, OMB and Departmental offices, develops and evaluates policies and systems to improve the effectiveness of the INS' programs.
- The major administrative functions within the program include: personnel, budget, accounting, equal employment opportunity, procurement, property management, fleet management, security and health, as well as other miscellaneous general services that support all programs.

**Restore Infrastructure
Salaries and Expenses**

Restore Infrastructure:	Positions	Workyears	Amount (\$000's)
Training Program	9	5	\$ 5,380
Data and Communications	25	13	12,341
Legal Proceedings	113	50	10,866
Management and Administration	125	72	10,372
Total	272	140	\$38,964

Proposed Actions:

Under the Restore Infrastructure initiative, 272 positions, 140 workyears and \$38,964,000 will be used to address those infrastructure areas which require immediate attention. The Federal Government's infrastructure for administering immigration law was neglected and under-funded for years, at the same time international political change prompted a wave of migration. Consistent with modern history, the United States remains the choice for those seeking a better life. This Administration recognized that an inadequately funded INS required a dramatic change in order to carry out its service and enforcement responsibilities, and, as a result, the INS received a large infusion of resources to meet service and enforcement responsibilities.

The INS's appropriated resources has increased from \$965 million in FY 1993 to \$1.71 billion in 1996 (including resources appropriated under the Violent Crime Reduction Program). However, this infusion of resources primarily focused on funding new initiatives, while much needed infrastructure requirements remained unfunded. Components of this initiative encompass a broad range of issue areas included in the following items:

	Positions	Workyears	Amount (\$000)
Training	9	5	\$5,380

This initiative includes 9 positions, 5 workyears, and \$5,380,000 for the Training program to provide support for the long-range career development of our Journeyman employees through the use of emerging technology keyed to a distributed learning environment. Virtually all Journeyman and advanced officer training has been deferred indefinitely to allow for training new officer recruits, particularly Border Patrol agents in FY 1995 and FY 1996. The advanced training courses for Journeyman are two to three week courses that include refresher training, updates on changes in applicable laws, and additional training needs to become fully proficient at the Journeyman level. The average officer is only receiving advanced training after being on-board for nine years. This is an excessive length of time when one considers that officers who deal in law enforcement issues require periodic training to stay abreast of changes in law enforcement techniques. In addition, INS has not provided career development paths and/or training for administrative and officer staff since the early 1970's. With the diversity recruitment and sheer volume of staff coming on-board, it would be prudent to prepare individuals for key management roles within INS.

Included in this request are the following initiatives:

- Leadership and Advanced Training (9 positions, 5 workyears and \$2,880,000)
- | | |
|---|-------------|
| Supervisory Training | \$1,000,000 |
| Managerial Training | 500,000 |
| Executive Leadership | 200,000 |
| Design and Development of Management Training Modules | 525,000 |
| Salary and Benefits | 655,000 |
| Total | \$2,880,000 |

These resources will provide accelerated development activities for employees with high potential for leadership. These resources will also be used to provide learner-based, self-paced, ongoing and reusable distributed learning technology for export training, in-service training, and extension training. INS will place emphasis on professionalism, cultural diversity, integrity and ADP training with implementation of distributed learning initiative. Resources will be used to develop video-based modules and packages for small groups of employees and forwarded to field offices.

● In-Service Training (\$2,500,000)

Computer Based Design and Development	\$1,300,000
Satellite	1,000,000
Video	200,000
Total	\$2,500,000

This initiative will allow for implementing distributed learning modules to provide training at or near the employees' duty station to reduce travel costs for cross training of officer corps personnel (exclusion procedures; naturalization; deportation procedures, administrative and criminal prosecution, etc.). These resources will increase funding for employee development and meet special training requirements that are generated by legislative, regulatory and policy mandates. This initiative will fulfill the special training requirements associated with operational changes, and provide continuing education for employees to bridge the gap between basic and advanced training. INS will invest in technology to deliver both residential training and also distribute training to the field using computer-based, video and program instruction. The ability to deliver training at or near an employee's worksite will allow INS to train officers on a timely basis. If these training needs remain unaddressed, INS will be forced to continue with out-moded method of classroom-based training, that is no longer practical for training most INS employees, nor is it cost effective.

	Positions	Workyears	Amount (\$000s)
Data and Communications	25	13	\$12,341

The request for the Data and Communications program totals 25 positions, 13 workyears and \$12,341,000 for the following initiatives:

ADP Contract Support Staff for Field (19 positions, 10 workyears and \$7,576,000--

Included in this request are resources for ADP support for INS field offices. On-site ADP specialist support must be extended commensurate with the expanded INS organization infrastructure and associated ADP Infrastructure and application systems installed. This will be accomplished primarily through the Facilities Operation Support Contract, with additional funding for INS personnel. An effective ratio of support positions to "users" will be established based on geographical area of coverage; configuration of equipment, hours of operation, etc. INS staff must also be distributed appropriately to effectively perform contract management and oversight of this contract.

Computer Security (6 positions, 3 workyears and \$490,000):--

This initiative includes resources to support an INS-wide Computer Security Program that will be developed to implement and maintain computer security compliance with Federal laws and requirements. Computer Security is currently identified as a material weakness for INS. In order to address previous deficiencies in INS, resources are requested to support all of INS' security needs in mainframe security, network security, contingency planning, risk analysis, security planning and computer incident response. This will satisfy the need for both management responsibilities and auditing requirements.

ADP Training (\$4,275,000):--

Also included in this request are resources to provide at least four days of ADP training for 5,000 employees. In FY 1997, INS will have deployed significantly more complex ADP systems for use by staff. This request also provides funds to provide managers, supervisors, and executives with core subject ADP training on a cyclical basis to introduce new software packages and provide refresher training. Local Area Network Administrator training is required now that LANs will be established throughout INS.

	Positions	Workyears	Amount \$ (000s)
Legal Proceedings	113	50	\$10,866

The Legal Proceedings Program request of 113 positions, 50 workyears and \$10,866,000 includes resources for an additional 90 attorneys and 23 support positions to: provide the appropriate base staffing level that has been absent from the Legal Proceedings program for several years; address current backlog in workload as a result of expanded responsibilities; manage increased workload resulting from additional EOIR Immigration Judges; and provide a sufficient core of legal services to INS components early in the process, ensuring that legal issues are addressed appropriately and timely, thereby reducing future legal problems and expenditures.

	Positions	Workyears	Amount \$ (000s)
Management and Administration	125	72	\$10,377

This request includes 125 positions, 72 workyears, and \$10,377,000 to alleviate staffing deficiencies in the Management and Administration program. As INS programs expand, it is essential that adequate administrative support be available to field operations. A description of the items included in this initiative are as follows:

Environmental, Safety and Occupational Health Program (ESOH) (18 positions, 18 workyears and \$3,078,000):

This initiative includes resources to implement the recommendations of an inter-agency Occupational Safety and Health Work Group convened to reinvent the INS ESOH Program. The Occupational Safety and Health Work Group identified serious deficiencies in the INS ESOH program resulting from inadequate staffing and insufficient funding. This initiative will provide funding to staff the program with qualified personnel and correct the cited deficiencies, including ensuring that all at risk employees receive mandatory training and personnel protective equipment needed to perform their duties safely. Resources will also be used to perform environmental and safety assessments; and ensure that unsafe and unhealthy conditions are abated. OSHA safety citations will be abated, and every effort will be made to ensure that INS workplaces are free from safety and health hazards.

Support Positions in Field (93 positions, 46 workyears and \$5,031,000):

This initiative requests resources to provide adequate administrative support to the District and suboffices. These offices are severely understaffed in the administrative area. Adequate administrative support in the field will reduce employee turnover, enrich the potential career ladder for support employees, improve effectiveness of purchasing, reduce the lapse time in filling positions, improve service to the public overall, and also reduce time officer corp devotes to administrative duties. The Department of Justice's Management Planning Staff (MPS) conducted a study that concluded INS had insufficient support positions and recommended an increase of over 200 positions. This study also concluded that the most critical and pressing need for support positions are in field offices. However, as a result of reengineering efforts, INS requests fewer resources than MPS previously identified.

Internal Audit Program (7 positions, 4 workyears and \$721,000):

The Internal Audit program requires resources to provide INS with the capability to follow-up on audit and field assessment findings to ensure that corrective actions are completed as well as to investigate allegations of misconduct. This request includes \$200,000 for INS employees travel to conduct field assessments. Each field assessment team will review an office's compliance with policies and procedures and performance against established program measures. This will ensure that INS identifies and corrects systemic weaknesses in response to the needs of the A-123 program. Five positions will augment internal investigative capability in proportion to recent growth in INS staffing, i.e. remaining 2 positions will monitor field assessment recommendations.

Security Program (2 positions, 1 workyear and \$141,000):

This increase is requested to upgrade the Security program in INS. These resources will allow the Security program to provide timely professional service to the operating divisions, develop a comprehensive INS operations security policy to meet national security requirements, and conduct the necessary program assessments to determine the level of compliance and provide on-site guidance and direction on critical security matters.

Equal Employment Opportunity Program (5 positions, 3 workyears and \$1,400,000)--

Also included in this initiative are resources to provide additional funding for Equal Employment Opportunity (EEO) offices in the field throughout INS to continue servicing and implementing the EEO/diversity initiatives started in FY 1994. The additional positions will service key field locations and broaden the scope of the EEO program. Resources included in this request totaling \$1,050,000 will also be used to fund EEO hearings, investigations and final agency decisions and recruitment activities to continue to diversify INS workforce.

**Border Facilitation & Control Initiative
Salaries & Expenses**

	<u>Positions</u>	<u>Workyears</u>	<u>Amount (\$000s)</u>
Inspections	154	62	\$ 13,300
Border Patrol	810	324	97,214
Investigations	8	4	1,279
Detention & Deportation	12	6	5,000
Intelligence	15	8	1,466
International Affairs	14	7	2,255
Management & Administration	18	9	1,243
Total:	1,031	420	\$121,757

Proposed Actions

This proposal builds on current efforts to strengthen border facilitation and control by increasing automation, staffing and security at U.S. ports-of-entry (POEs) and overseas, continuing the implementation of management initiatives at POEs, and expanding the Border Patrol strategy of "prevention through deterrence" to remaining Sectors on the Southwest border. This request includes 154 Inspectors, 826 Border Patrol agents, and 12 Detention officers. In addition, 14 Special Agents, 14 Immigration Agents, and 9 technical support personnel are included that will assist intelligence programs. This initiative includes funding for 126 previously-authorized, but unfunded, Border Patrol agents. These officers are an important part of INS overall Southwest Border Control Strategic Plan, and are necessary to carry forward the dramatic successes achieved to date by Operation Gatekeeper and Operation Hold The Line. In the same vein, the investigative and intelligence personnel are intended to spend much of their time in support of Operation Global Reach, a major, joint INS and State Department initiative that will interrupt alien smuggling activities and otherwise deter illegal immigration through proactive investigations, liaison efforts, international task force, and extraterritorial prosecutions. The following descriptions outline the proposed enhancements.

	Positions	Workyears	Amount —(\$000s)
Inspections	154	62	\$ 13,300

Program investments of 154 positions, 62 workyears, and \$13,300,000 are requested for the Inspections program in FY 1997 in the following areas:

Increase land border POE staffing. (150 positions, 60 workyears, \$12,300,000)--

Increased facilitation and enforcement at the Northern and Southern POEs continues to be a major objective of INS. Based on a complex staffing model developed to quantify resource levels needed to meet all operational standards, 150 inspections are necessary to improve the inspections process for all persons seeking admission into the U.S. at land borders. These positions will be distributed to the POEs with the greatest staffing needs along the Southwest border, which are required to complement the increases in the Border Patrol in FY 1996.

Pilot an automated arrival/departure system for pedestrian crossers (4 positions, 2 workyears, \$1,000,000)--

The automated collection of arrival/departure information for pedestrians would provide inspectors with the ability to determine whether an applicant has previously overstayed. Such information for border crossers is now unavailable. An automated system would also allow for lookout checks on pedestrians, a function that is not routinely being performed now. Automated arrival/departure receipts for applicants with visas could also be generated, and scanned at time of departure, improving control at land border POEs. This proposal will allow such a pilot to be established at two POEs. Four inspectors are requested as a part of this initiative.

	Positions	Workyears	Amount —(\$000s)
Border Patrol	810	324	\$ 97,214

Border Patrol and support positions (810 positions, 324 workyears, \$97,214,000)--

This enhancement will continue the phased approach for controlling the border that began in FY 1994 and has continued through the President's FY 1996 Budget. It includes not only 700 new Border Patrol agent positions, but also sufficient dollars to hire and fund a total of 826 new agents, as outlined in the Attorney General's March 23, 1995, letter to Congress. This provides funding for 126 previously-authorized agent positions for which funding had been gradually eroded by base cuts and unfunded cost increases. The vast majority of the new agents will be initially targeted to those locations along the Southwest border that have historically had an especially high level of illegal crossings. At the same time, flexibility will be maintained that will allow the Patrol to shift personnel as

their deterrent effect forces changes in border crossing patterns. The 826 agents will also allow INS to extend Operation Hold-the-Line and Operation Gatekeeper to Texas, New Mexico, Arizona, and the eastern portion of the California Mexican border, further implementing the Border Patrol Strategic Plan. Also included as part of this enhancement is funding for 110 support personnel that will staff technical assistance and administrative positions designed to permit Border Patrol agents to spend more time on actual border control duties.

	Positions	Workyears	Amount (\$000)
Investigations	8	4	\$1,279

Overseas Special Agent positions (8 positions, 4 workyears, \$1,279,000)--

INS requests a total of eight Special Agent positions for the investigations program. The 8 Anti-Smuggling Special Agent overseas positions will receive intelligence products from the teams of Special Agents and Intelligence Research Specialists in the intelligence program and pursue investigations of organized international criminal smuggling organizations and related overseas enforcement and detention efforts. All of the requested positions will perform their duties as part of and in support of the Joint INS-State Department Operation Global Reach, a major international anti-smuggling initiative. The positions will be allocated to the following District Offices: Rome-2, Bangkok -4, and Mexico City -2.

	Positions	Workyears	Amount (\$000)
Detention & Deportation	12	6	\$ 5,000

Detention & Deportation Support (12 positions, 6 workyears, \$5,000,000)--

Resources requested will result in an estimated 2,000 removals of unauthorized aliens. INS FY 1996 Budget provides for an interior repatriation pilot project in San Diego. Resources requested for 1997 will expand the project to the El Paso and Tucson sectors, and includes funding for 12 Detention officers.

Intelligence	Positions	Workyears	Amount (\$000s)
	15	8	\$ 1,466

Increased Intelligence Agents and Overseas Analysts (15 positions, 8 workyears, \$1,466,000) --

INS' requested resources for the Intelligence program total 15 positions (6 Special Agents, 7 Intelligence Research Specialists, and 2 Forensic Document Analysts) to assist in the Joint INS-State Department Operation Global Reach, a proactive international enforcement strategy that will identify, investigate, disrupt, and reduce illegal immigration and smuggling activities at their source. Of this number, 3 Special Agents and 3 Intelligence Research Specialists will work in two-person teams overseas gathering and analyzing intelligence. One team each will be located in Rome, Bangkok, and Mexico Districts. The intelligence products developed by the overseas teams will be provided to the Immigration Control Officers in the International Affairs and Outreach program to assist them in detecting fraudulent documents and to the Special Agents in the Investigations program to pursue criminal investigations. In addition, 3 Special Agents and 4 Intelligence Research Analysts will act as a link and use intelligence gathered overseas in domestic anti-smuggling investigations. Finally, to perform additional workload generated from this initiative, 2 Forensic Document Analysts will be added to provide forensic support to the criminal investigations developed relating to stolen and fraudulent documents.

International Affairs and Outreach	Positions	Workyears	Amount (\$000s)
	14	7	\$ 2,255

Increase the presence of overseas officers (14 positions, 7 workyears, \$2,255,000) --

Requested resources for the International Affairs and Outreach program total 14 positions (14 Immigration Control Officer positions). An increasingly important issue to INS is the augmentation of enforcement efforts overseas, in particular, Operation Global Reach, the major international anti-smuggling initiative conducted jointly by INS and the State Department. INS must enlarge its enforcement efforts abroad to effectively detect and assist foreign governments to intercept individuals in source and transit countries who are engaged in unlawful activities aimed at circumventing U.S. Immigration laws. The 14 Immigration Control Officer positions will provide technical expertise and training on fraudulent documents to host governments. In addition, Immigration Control Officers will perform sensitive liaison work to develop effective deterrence measures with host governments against illegal immigration and smuggling. The positions will be allocated to the following District Offices: Rome-4, Bangkok-5, and Mexico-5.

	Positions	Workyears	Amount (\$000's)
Management and Administration	18	9	\$ 1,243
Management and Administrative support personnel	18 positions, 9 workyears	\$1,243,000--	

INS requests 18 administrative support positions to correspond with the increases in operational personnel proposed in FY 1997. The additional positions will provide a variety of support services in the areas of personnel, procurement, payroll, etc.

1995

Remove Criminal & Non-Criminal Deportable Aliens
Salaries and Expenses

	Positions	Workyears	Amount (\$000s)
Investigations	23	11	\$ 2,244
Detention & Deportation	44	22	17,635
Legal Proceedings	5	3	425
Management & Administration	2	1	118
Total:	74	37	\$20,422

Proposed Actions

INS is continuing its focus on increasing the removal of criminal and non-criminal deportable aliens. To this end, a total of 74 positions, 37 workyears, and \$20,422 is requested. This initiative increases the INS' removal capability by identifying greater numbers of deportable aliens, maximizing the use of detention bed space, and accelerating removal while safeguarding the right to due process. The resources requested in FY 1997, combined with existing resources, will support the removal of an estimated 93,000 criminal and deportable aliens, an increase of 50% over FY 1996. This initiative adds the following enforcement personnel: 4 Special Agents, 11 Immigration Agents, 17 Detention Enforcement Officers, and 12 Deportation Officers.

	Positions	Workyears	Amount (\$000s)
Investigations	23	11	\$ 2,244

Expanding the Identification of Criminal Aliens Incarcerated in Local Jails (23 positions, 11 workyears, and \$2,224,000)--

This increase will provide the investigative resources to interview and identify deportable aliens that are incarcerated in local and county jails and allow INS to have an enforcement presence in select county and city jails that have historically contained large populations of deportable criminal aliens. INS will expand its local jail initiative in FY 1997, targeting local jails located in Rikers Island, N.Y.; San Diego, CA; and county jails in Florida and Texas.

	Positions	Workyears	Amount (\$000s)
Detention & Deportation	44	22	\$17,635

The FY 1997 budget request includes an increase of 44 positions, 22 workyears, and \$17,635,000 for the Detention and Deportation Program. Included in the increase are the following:

Funding for Activation of Bed Space Coming On-line in FY 1997 (4 positions, 2 workyears, and \$10,422,000):--

This increase will provide for contract staffing (130 guards), Alien Travel, Detention and Welfare (ATD&W) funding and vehicles (10 vans and 7 buses) needed to operate 700 beds coming on-line at the Krome Service Processing Center (300 beds) and the El Paso Service Processing Center (400 beds). While the beds will be available by the end of FY 1997, the full effect of the increased removal capacity that will result will not be realized until FY 1998.

Expanding the Identification of Criminal Aliens Incarcerated in Local Jails (40 positions, 20 workyears, and \$7,213,000):--

This initiative began in Los Angeles county and has become one of several initiatives designed to expedite and increase the number of removals. During FY 1997, INS will expand on the 1996 county jail project, targeting local and county jails located in Rikers Island, NY; Dade and Broward Counties, FL; San Diego County, CA; and Bexar, Dallas, and Harris Counties, TX. The initiative will provide INS with an enforcement presence in select county and city jails across the United States that have historically contained large populations of criminal aliens. In each of these locations, INS will process and remove deportable inmates on a 'fast track removal plus'. Personnel resources are needed for the identification, transportation, detention, prosecution and deportation of aliens incarcerated in these facilities. This effort is designed to assist local authorities to reduce jail overcrowding, reduce overloaded dockets, and remove deportable inmates from the United States. Expansion of the local jail initiative will promote positive cooperative efforts between INS and state and local jurisdictions as they jointly combat the problem of an increasing number of incarcerated illegal aliens. Once fully operational, the INS estimates that approximately 5,500 additional criminal aliens would be removed annually.

	Positions	Workyears	Amount (\$000's)
Legal Proceedings Program	5	3	\$ 425
Expanding the Identification of Criminal Aliens Incarcerated in Local Jails (5 positions, 3 workyears, and \$426,000)--			
This increase provides the corresponding Legal Proceedings resources to support the local jail initiative. The position increases, 3 attorneys and 2 support staff, are needed to 1) determine whether incarcerated prisoners are deportable aliens (e.g., determine whether the conviction is for a crime involving moral turpitude; determine whether the conviction is for an aggravated felony, etc.); 2) review Orders to Show Cause for legal sufficiency; and 3) appear in hearings before Immigration Judges.			

	Positions	Workyears	Amount (\$000's)
Management and Administration	2	1	\$ 118
Expanding the Identification of Criminal Aliens Incarcerated in Local Jails (2 positions, 1 workyear, and \$118,000)--			
This increase provides the corresponding administrative support related to the expansion of the local jail initiative. The additional resources will support the hiring, training, facilities, logistical and other requirements for the additional personnel resources being requested in the other program areas.			

**Reduce Incentives For Unauthorized Employment and Benefits
Salaries and Expenses**

	<u>Positions</u>	<u>Workyears</u>	<u>Amount</u> <u>(\$000s)</u>
Investigations	112	55	\$15,839
Detention & Deportation	14	7	3,738
Intelligence	4	2	322
Information & Records Management	69	35	10,000
Management & Administration	2	1	101
TOTAL:	201	100	\$ 30,000

Proposed Actions:

The FY 1997 Worksite Enforcement initiative request totals 201 positions (including 92 Special Agents), 100 workyears, and \$30,000,000. The request builds upon INS' current worksite enforcement and verification achievements and planned activities. The request expands concentrated worksite enforcement from the targeted deterrence zones in the seven states with the largest number of illegal migrants to Atlanta, New Orleans, Philadelphia, Boston, Seattle, and Portland, Oregon. This initiative will add 92 Special Agents, 5 Detention Enforcement Officers, 7 Deportation Officers, 4 Forensic Document Analysts, 2 Program Analysts, 2 Legal Support positions, and 20 Support positions. Detailed justification for each program in this initiative follows.

	<u>Positions</u>	<u>Workyears</u>	<u>Amount</u> <u>(\$000s)</u>
Investigations	112	55	\$15,839
Worksite Enforcement (112 positions, 55 workyears, and \$15,839,000) --			

In 1996, INS received an enhancement totalling 384 positions (including 244 Special Agents, 63 Immigration Agents, and 75 Support) and \$50,400,000 to enhance employer sanctions activities. A portion of these resources backfilled border patrol agent positions

formerly located in the interior of the country and strengthened workplace enforcement in California, New York, Florida, Texas, New Jersey, Arizona, Illinois, and several other localities. The FY 1997 initiative requests an additional 92 Special Agents and 20 support positions to further INS efforts to reduce the magnet of illegal job opportunities by 1) targeting industries historically dependent on an illegal work force, 2) increasing reinspection of INS warning and fine cases, and 3) targeting major suppliers and manufacturers of fraudulent documents, as well as individuals who knowingly use or receive fraudulent documents to comply with employment verification laws. Enforcement personnel will further be responsible for the identification, apprehension, and removal of alien administrative violators (274 A and 274 C cases) from the work place and for the preparation and issuance of document fraud Notices of Intent to Fine (NIFs) to or against individuals who use, create, provide or accept fraudulent documents to obtain unauthorized employment in the United States.

	Positions	Workyears	Amount _(\$000s)
Detention & Deportation	14	7	\$3,738

Worksite Enforcement (14 positions, 7 workyears, and \$3,738,000) --

This enhancement provides the commensurate Detention and Deportation resources to ensure that aliens apprehended as a result of sanctions operations are detained and deported. This enhancement will provide 2 removal teams (7 Deportation Officers, 5 Detention Enforcement Officers, and 2 Legal Support positions) to be located in areas where sanctions enforcement will be enhanced. This also includes \$2,454,000 for alien travel, detention and welfare.

	Positions	Workyears	Amount _(\$000s)
Intelligence	4	2	\$322

Worksite Enforcement (4 position, 2 workyears, and \$322,000) --

This request will provide the commensurate resources to perform additional workload that will be generated as a result of this initiative. The workload would consist of forensic examination of documents, fingerprints, evidence control, and the demonstrative testimony of this case-related evidence. The four positions requested are Forensic Document analysts.

	Positions	Workyears	Amount _(\$000s)
Management and Administration	2	1	\$101

Worksite Enforcement (2 positions, 1 workyear, and \$101,000) --

As INS programs expand, adequate administrative support is essential to maintain control of resources and provide sufficient support to field operations. The administrative functions include procurement and security. The two program analyst positions requested will be assigned to the Administrative Centers in the field.

	Positions	Workyears	Amount _(\$000s)
Information and Records Management	69	35	\$10,000

Verification (69 positions, 35 workyears, and \$10,000,000) --

This request includes 69 technical and clerical positions to provide verification services to new clients. In addition to personnel resources, approximately \$6,000,000 will be available to create and sustain the capability for INS to administer its Verification Information System (VIS). These funds will expand the verification pilot programs to include additional participants and a variety of verification approaches, including large-scale pilots that involve other Federal, State, and local government agencies. This enhancement also will provide resources to continue to improve the immigration records supporting VIS, to design and deploy improved verification business practices, and to re-engineer existing business practices that support verification services.

GENERAL GOAL # 1: Border Control and Facilitation - Regulate entry to the United States in a manner that facilitates lawful travel and commerce while ensuring border integrity.									
ELEMENT # 1: INSPECTIONS									
PERFORMANCE INDICATORS INFORMATION		PERFORMANCE TARGETS & ACTUAL RESULTS							
Type of Indicator	Performance Indicators	1993 Actual	1994 Actual	1995 Actual	1996 Target	1997 Target	1997 Target Increase	1997 Target	
Target	INSPECTIONS: Number of Inspectors (by FTE) ^U	3,377	3,467	3,969	4,347	4,443	443	4,443	4,690
Output/Activity	INSPECTIONS: (Numbers in 000's)	64,266	66,179	76,796	71,400	73,900	+ 2,500	73,900	
	a. Number of Air and Sea Inspections	436,169	444,846	486,675	465,800	475,800	+10,000	475,800	
	b. Number of Land Inspections	143	144	196	166	179	+ 10	179	
	c. Number of Fraud Detection	897	978	1025	1047	1069	+ 22	1069	
	d. Total Number of Admissions Denied	876	961	990	1025	1045	+ 20	1045	
	(1) Number of Applications Refused or Withdrawn	21	17	20	22	24	+ 2	24	
	(2) Number of Excludable Cases sent to Immigration Judge	18,569	18,559	11,000	11,400	11,990	+ 590	11,990	
	e. Number of Secondary Referrals ^U	34	46	50	54	59	+ 5	59	
	f. Number of Lookout System Intercepts	145	147	120	126	117	- 9	117	
	g. Number of total inspections per Inspector FTE ^U								

Intermediate Outcomes	INSPECTIONS:											
	a. Percent of repeat offenders identified thru IDENT ¹⁴	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A
	b. Percent of threat detections per total inspections (in 000's)	.829 %	.828 %	.829 %	.830 %	.831 %	.832 %	.833 %	.834 %	.835 %	.836 %	.837 %
	c. Percent of total inspections that are in compliance with law and regulation	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A
	d. Percent of secondary referrals that result in enforcement actions (in 000's)	8.5 %	9.2 %	9.5 %	9.8 %	10.1 %	10.4 %	10.7 %	11.0 %	11.3 %	11.6 %	11.9 %
End Outcomes	REGULATE: Ensure the integrity of the border. Percent of violators intercepted per total estimated violators	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A
	FACILITATE: Improve the processing efficiency for lawful travel and commerce. Percent of reduction in cycle time ¹⁴	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A
Productivity/ Efficiency												

A. Definitions of Terms or Explanations of Indicators:	
INSPECTIONS	
N/A = "Data not (currently) available"	
FTEs are used rather than the number of assigned individuals in order to distinguish between hours specifically related to Border Control functions, as opposed to time spent on administration, training, or other functions.	
1. Number of inspections by FTE does not include FTEs at headquarters, in the regional offices, or at foreign posts. In addition, the table listed reflect FTEs brought on board per year. In the target year, FTEs listed reflect 90% of total positions requested with the remaining 10% introduced into the following year's table.	
2. Currently, the data on secondary referrals includes both enforcement procedures (i.e., applicants deemed to be inadmissible) and service procedures (i.e., individuals requiring further processing for special or additional permissions). In the future, we hope to be able to separately identify secondary referrals as "advisories" or "service."	
3. Note that the total number of inspections per inspector are measured in thousands of inspections. Thus, the total number of actual inspections performed in 1994, was 167,000 inspections per inspector FTE. This equates to more than one inspection every minute (117 inspections per minute or 70 inspections per hour). The plan, as authorized and recommended by GAO, is to reduce this workload to a more reasonable and sustainable level. The 1997 target of 115,000 inspections per inspector FTE is still high, albeit less than one inspection per minute (51 inspections per minute or 35 inspections per hour), but still represents a significant improvement. At the same time, as the total number of inspectors increases, and as they gain skill and experience, the total number and quality of inspections can be expected to increase and the average individual waiting time improves (refer to table on "cycle time" below).	
4. Positive identification technology has not yet been adequately deployed to consistently and confidently identify repeat illegal border crossers. However, with FY 1995 and 1996 resources INS plans to expand limitations of technology specifically designed and intended to perform such identification with high speed and reliability.	
5. The "Number of Total Estimated Violators" will be calculated based on a "Compliance Survey." When this factor has been developed, we will drop the "Fraud Detections per Total Inspections."	
6. "Cycle Time" is a data factor that is being planned. "Cycle Time" is defined as the time an individual spends from arrival at the inspection area until completion of primary inspection. Actual procedures for capturing this data are under development; an implementation date has not yet been determined.	

<p>B. Factors Affecting FY 1995 Program Performance</p>
<p>C. Factors Affecting Selection of FY-1996 and 1997 Targets.</p> <p>As noted above, outcome goals are greatly dependent upon INS' ability to successfully obtain and deploy technology which will allow the identification of repeat illegal border crossers and illegal entries. This, in turn, will make possible far more accurate estimates of the total numbers and movement of illegal.</p> <p>Another important factor affecting future goals will be the ability of INS to attract, train and retain quality personnel as inspectors, agents and officers. Notwithstanding the vital and effective assistance of technology, border control remains an essentially labor intensive activity. It is also an area where experience is critical to the overall efficiency and effectiveness of operations. Experience is a function of time, so it is extremely important to maintain an optimum mix of seasoned along with new personnel -- so able is the awareness that productivity is not necessarily directly proportional to the number of people on board.</p>

GENERAL GOAL # 1: Border Control and Facilitation - Regulate entry to the United States in a manner that facilitates lawful travel and commerce while ensuring border integrity.										
ELEMENT # 2: BORDER PATROL										
PERFORMANCE INDICATORS INFORMATION		PERFORMANCE TARGETS & ACTUAL RESULTS								
Type of Indicator	Performance Indicators	1993 Actual	1994 Actual	1995 Actual	1996 Target	1997 Target	1997 Target	1997 Target	1997 Target	1997 Target
Input	BORDER PATROL: Number of Agents (by FTE) ¹	4,243	4,199	4,580	5,320	+ 280				5,850
Output/Activity	BORDER PATROL: (Numbers in 000's) a. Number of hours for "Border Control" ¹ b. Number of records entered into IDENT	4,763 N/A	4,905 N/A	5,196 580	6,048 1,000	+299 + 500				6,387 1,500
Intermediate Outcome	BORDER PATROL: a. Number of apprehensions (in 000's) ¹ ¹	1,263	1,032	1,324	1,200	- 200				1,000
End Outcome	REGULATE: Ensure the integrity of the border. a. Number of positive IDs from IDENT ¹ (1) Percent of repeat offenders identified from IDENT (2) Number of Criminal Aliens identified (3) Number of prior deportees identified	0 0 0 0	0 0 0 0	6,000 26.0% 3,605 2,292	10,000 27.8% 6,008 3,820	+ 1,000 0 + 601 + 382				11,000 27.8% 6,609 4,202
Productivity/Efficiency	BORDER PATROL: a. Percent of total hours spent on "Border Control" ¹	54%	56%	57%	58%	+ 2%				60%

A. Definitions of Terms or Explanations for Indicators:	
BORDERPATROL	<p>N/A - "Data not (currently) available"</p> <p>1. FTEs (Full Time Equivalents) are used rather than the number of assigned individuals. FTE is a better indicator of the CDRT's strength of an activity, in that it compensates for positions that have only been occupied for a portion of the tracking period, and also reflects the impact, if any, of large amounts of overtime. One FTE equals the number of regular official duty hours in the fiscal year, usually 2080 hours. The FTEs for all organizations are computed by dividing the total hours worked by the FTE factor.</p> <p>2. "Border Control" hours are defined as those work hours spent on activities directly related to Border Enforcement (i.e., patrol, traffic checks, transportation checks, boat and air patrol, crossings and secondary checks, etc.), as opposed to time spent on administration, training, or other functions.</p>
B. Factors Affecting FY 1995 Program Performance	
BORDERPATROL	<p>1. Apprehensions will continue to be variable depending on worldwide social and economic trends. FY 1995 provided a classic example with the downturn of the peso and the resulting shock to the Mexican economy and its workers - many of whom, as a result, sought relief in the United States. It is very likely that new economic problems in Mexico will continue to provide impetus to illegal northward migration, and subsequent apprehensions.</p> <p>2. Positive identification technology designed to consistently and reliably perform high speed identification of repeat illegal border crossers - for example, the IDENT system - was initially deployed by INS in FY 1993. With additional FY 1994 resources INS plans to expand installation of this technology. In particular, this will help to resolve the problem of repeat offenders simply circumventing areas where systems such as IDENT are known to be deployed. Please refer to the "Technology Issues" section of this General Goal for further discussion about the performance targets for the IDENT system.</p>
C. Factors Affecting Selection of FY 1996 and 1997 Targets	

BORDER PATROLS

1.5 The percentage of Border Control hours are impacted by the influx of new agents that will require a greater number of hours of training. At the same time, more resources are now being applied to the development of new technology and management training for experienced agents, which - when implemented - will also affect the total hours that can be devoted to Border Control. However, the trade off in increased quality of Border Patrol supervision and management, as well as increased retention of experienced agents, will actually compensate. Other factors that will influence total Border Control hours will be the advent of new technology that improves the efficiency of individual agents; the increase in support staff that will relieve the administrative burden on agents and supervisory agents; and change - both anticipated and unexpected - in enforcement policies, tactics and strategies.

1.6 DHS is currently projecting a decrease in total apprehensions by FY 1997. This is based on the assumption that, first, the range of Border Control efforts and initiatives that are in process or being planned will continue to have a deterrent effect by FY 1997. As the risk of apprehension increases and the costs of trying to cross the border illegally become greater (physically, financially and judicially), the number of potential first-timers who become discouraged and turn back (or never start) should increase. Similarly, the number of repeat offenders may increase in the risk of apprehension increases until they are also deterred from entry. Fewer crossings may also be seen as long as the economic situation in Mexico and other source countries do not further deteriorate.

GENERAL GOAL # 1: Border Control and Facilitation - Regulate entry to the United States in a manner that facilitates lawful travel and commerce while ensuring border integrity.									
ELEMENT # 3: INVESTIGATIONS									
PERFORMANCE INDICATORS INFORMATION		PERFORMANCE TARGETS & ACTUAL RESULTS							
Type of Indicator	Performance Indicators	1993 Actual	1994 Actual	1995 Actual	1996 Target	1997 Target	1997 Target Variance	1997 Target	1997 Target
Input	INVESTIGATIONS: Number of Special Agents (by FTE) ^u	235	347	238	245	281	+ 36		
Output/ Activity	INVESTIGATIONS: a. Number of smuggling cases completed ^u	1,224	1,878	849	900	1,300	+ 400		
Intermediate Outcome	INVESTIGATIONS: a. Number of on-going investigations ^u b. Number of organizations identified ^u	N/A N/A	N/A N/A	N/A N/A	N/A N/A	N/A N/A	N/A N/A		
End Outcome	REGULATE: Ensures the integrity of the border a. Principals accepted for prosecution ^u b. Number of defendants convicted	1,562 1,690	1,348 1,279	1,519 1,434	1,300 1,300	1,500 1,800	+ 400 + 400		
Productivity/ Efficiency									

<p>A. Definitions of Terms or Explanations for Indicators:</p>	
<p>INVESTIGATIONS:</p>	
<p>N/A = Not (currently) available</p>	
<p>U.1 Number of FTEs was affected in FY 1995, and will continue to be affected in subsequent years, by the training of new hires. New agents are generally estimated to be productive about 14% of the fiscal year in which hired, with 84% productivity at their full performance level. This common half-year funding for new hires, and four months training. In addition, the decrease in Special Agent FTEs between FY 1994 and FY 1995, was the direct result of the absorption of the unneeded portion of the FY 1995 locality pay increase.</p>	
<p>U.2 Note that, effective October 1, 1995, "Smuggling Cases Completed" will track only major cases, i.e., those which relate to organizations which have the capabilities of moving large numbers of aliens into the interior of the United States, generating over \$25,000 per month, or are labor contractors. Category III (Impact Level II) cases which can include single, unneeded instances of smuggling ("one-shot" smuggling) will not be included in this figure.</p>	
<p>B. Factors Affecting FY 1995 Program Performance</p>	
<p>INVESTIGATIONS:</p>	
<p>U.3 "Number of On-Going Investigations" and "Number of Organizations Identified" are not figures captured by the current case tracking system. When the ENFOBCE case identification and tracking system is brought on-line, the data should become available.</p>	
<p>U.4 Base program resources were diminished in FY 1995, as was case work numbers (previously identified as "backlog backlog"). This obviously had a negative effect, and impacted anti-smuggling as well as other investigations programs. The problem was further exacerbated by the requirement to absorb the unneeded portion of the FY 1995 locality pay increase. All of these factors contributed to reducing the number of cases that could be processed.</p>	
<p>C. Factors Affecting Selection of FY 1996 and 1997 Targets</p>	

A. Definitions of Terms or Explanations for Indicators:	
TECHNOLOGY IN/OUT	
N/A = "Data not (currently) available"	
Currently, the Information Resource Management (IRM) project plan calls for a total of 179 IDENT facilities when the system is completely deployed, and they are currently ahead of their original deployment schedule. Actual data input into the IDENT system began on October 1, 1994. The system was brought online in San Diego Sector on March 16, 1995, and since that time there have been over 6,000 "positive IDs." In IRM terms, a "positive ID" is one in which the system has made an identification that has resulted in either formal deportation proceedings or prosecution being initiated. There are other, lesser, degrees of identification, but the utility of that data is still being evaluated.	
For Border Control purposes the IDENT system has been selected as the one most representative of the impact that technology has had on operations. However, there are other systems and initiatives that are in various stages of planning, development and/or deployment. The ENCATS and ENFORCE systems are two examples of other systems that will directly aid the regulation of border crossing by identifying and tracking illegal and inadmissible aliens, and indirectly aid facilitation by ultimately aiding in the reduction of the number of illegals. The Automatic Processing Points (APPs) are examples of technology that will directly aid the facilitation of lawful travel and commerce, but are not yet at a stage where their significance as providers of performance data can be determined.	
B. Factors Affecting FY 1995 Program Performance	
TECHNOLOGY IN/OUT	
The IDENT system was ahead of schedule for procurement and deployment of stations by the end of FY 1995	

C. Factors Affecting Selection of FY 1996 and 1997 Targets.	
TECHNOLOGY INPUT:	<p>As in FY 1995, procurement and deployment for FY 1996 and FY 1997, appear to be moving well. However, as with any new technology, performance projections are subject to technical problems, as well as any of numerous variables in the planning, procurement and deployment process.</p> <p>The planned integration of IDENT with the ENCATS and ENFORCE systems in FY 1996 and beyond, hopefully, will provide new data gathering and ferry capacity, as part of a greatly enhanced overall system potential. INS also anticipates that the expanded system will allow us to apply statistical measurement to the flow of illegal border crossers and the effectiveness of border control resources utilization.</p>

GENERAL GOAL #1: Border Control and Facilitation - INS will regulate entry to the United States in a manner that facilitates lawful travel and commerce while ensuring border integrity.									
ELEMENT #4: Asylum									
PERFORMANCE INDICATORS INFORMATION									
Type of Indicator	Performance Indicators	1993 Target	1994 Target	1995 Target	1995 Actual	1996 Target	1997 Target		
Input	Asylum Officers	150	150	326	257	326	326		
	Applications Filed (Reform)	NA	NA	30,000	33,560	50,000	50,000		
Output/ Activity	Reform Cases Completed	NA	NA	26,000	25,835	50,000	50,000		
	Reform Charging Documents Served	NA	NA	20,000	14,600	44,000	44,000		
Intermediate Outcome	Local Office interviews conducted within 43 days from filing date (Reform)	NA	NA	20,000	16,021	35,000	35,000		
End Outcome	Local Office cases completed within 60 days from filing date (Reform)	NA	NA	20,000	19,022	40,000	40,000		
Productivity/ Efficiency									

<p>A. Definitions of Terms or Explanations for Indicators:</p>	<p>Asylum Reform: Streamlining asylum processing to expeditiously complete all asylum reform cases.</p> <p>Asylum reform was implemented on January 4, 1995. All cases filed on or after that date (except ABC cases), are covered by the reform regulations.</p> <p>The goals of asylum reform are twofold: the speedy approval of meritorious cases and the expeditious removal of applicants found ineligible for asylum.</p> <p>The INS Asylum Offices are to complete the processing of reform cases within 60 days of filing, with the interview scheduled to be conducted by day 43 from filing.</p>
<p>B. Factors Affecting FY 1995 Program Performance</p>	<p>As Part of the Asylum Reform Initiative, the Asylum Office staff was to double in size as of August 11, the offices were at 76 percent of their authorized level.</p> <p>The estimates for 1995 are based on actual data through July 1995 which has been prorated for the year.</p>
<p>C. Factors Affecting Selection of FY 1996 and 1997 Targets.</p>	

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GENERAL GOAL #2: Integrated Enforcement							
Element: Remove Criminal and Non-Criminal Aliens (Interior)							
PERFORMANCE INDICATORS INFORMATION				PERFORMANCE TARGETS & ACTUAL RESULTS			
Type of Indicator	Performance Indicators	1993	1994	1995 Target	1995 Actual	1996 Target	1997 Target
Input (Inputs are FTEs expended on removal activities)	Detention Enforcement/Deportation Officers	973	994	1,043	1,043	1,448	1,914
	D&D Supervisory Support	222	234	243	243	273	308
	Immigration Agents	N/A	N/A	N/A	N/A	87	125
	Special Agents	457	458	449	449	454	457
	INS Attorneys	343	358	370	370	417	422
	Administrative Support Staff	23	25	28	28	23	41
	Border Patrol Agents ¹	306	245	260	260	300	350
Output/ Activity	Final Orders issued under Administrative Deportation ²	N/A	N/A	N/A	N/A	TBD	TBD
	Final Orders issued under Stipulated/Judicial Deport. ³	N/A	N/A	N/A	N/A		
	Number of: Criminal Aliens Apprehended ⁴	43,633	44,168	49,200	41,394	55,000	78,700
	Non-Criminal Aliens Apprehended	17,126	17,729	17,900	27,459	34,800	37,000
	Number of Aliens Detained	72,764	74,479	77,429	79,117	89,770	107,275
	Number of: Criminal Absconders Located	N/A	N/A	N/A	N/A	800	4,800
	Non-Criminal Absconders Located	N/A	N/A	N/A	N/A	800	4,800
	Number of Detention Days	1,694,323	1,784,471	1,788,621	2,072,175	2,351,181	2,809,534

¹ Border Patrol Agent time expended only on interior enforcement activities related to criminal & non-criminal alien removal.

² Data on removals under Administrative Deportation is not expected to be available until 1997. Because of the complexity of these types of deportations, any output targets prior to 1997 would be negligible at best.

³ Data on final orders issued under Stipulated and Judicial Deportations will not be available until FY 1998.

⁴ Number of Apprehensions include detainees lodged against criminal aliens.

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Inter- mediate Outcome	Number of IHP Interviews (See P.2, A-2) Number of Deportable Aliens Identified via IHP Number of Removal Orders Issued (See P.2, A-3)	N/A N/A	N/A N/A	37,000 28,000	37,000 28,000	10,000 38,000	60,000 38,000
End Outcome	Criminal Aliens Removed - Excludes IHP removals IHP Removals Non-Criminal Aliens Removed	24,119 4,000 14,145	24,618 6,000 14,618	15,000 8,200 25,800	22,196 9,517 17,558	23,850 13,400 24,750	40,800 15,000 37,200
Product- ivity/ Efficiency	Productivity = Ratio of Outputs to Inputs Efficiency = Ratio of Inputs to Outputs (Unit Cost)						
A. Definitions of Terms or Explanations for Indicators:							
INPUTS:							
1. Border Patrol Agents - Identification and apprehension of criminal aliens will increase with expended use of the IDENT system. Resources expended on interior non-criminal aliens should remain the same or decrease.							
OUTPUTS/ACTIVITY							
1. Charging Documents include Orders to Show Cause (OSCs), Notices of Intent to Issue Final Administrative Deportation Order, and I-122 for Exclusion Cases.							
2. IHP Interviews, Deportable Aliens Identified, and Removal Orders issued are counted separately.							
3. Removal Orders includes Stipulated Deportations, Exclusions and Administrative Orders of Deportation.							

³ Removals resulting from Workplace Enforcement Efforts are an end outcome of the "Disincentives for Unlawful Migration" part of this general goal.

B. Factors Affecting FY 1995 Program Performance	
C. Factors Affecting Selection of FY 1996 and 1997 Targets.	<p>The major factors affecting FY 1996 targets are: the delayed hiring and deployment of additional personnel; the allocation of funding; and the training requirements of new hires.</p> <p>Availability of resources (Detention & Deportation, Investigations, Legal, Alien Travel, Detention, and Welfare (ATD&W) including availability of bed space, etc.) involved in the removal of criminal and deportable aliens.</p> <p>Cooperation of the aliens' host countries in effecting removals.</p> <p>INS' ability to identify and apprehend deportable aliens.</p> <p>Cooperation of State/Local governments in instituting the IHP to expedite removals.</p>

General Goal #3: Disincentives for Unlawful Migration										08-Mar
Element: Interfor Enforcement										01:39 PM
Performance Indicators Information										
Type of Indicator	1993 Estimate	1994 Estimate	1995 Estimate	1996 Target	1997 Target					
Input										
Performance Indicators										
Special Agent FTEs	260	221	271	271	454					
Immigration Agent FTEs	0	0	8	8	57					
Border Patrol FTEs	78	58	49	44	40					
Verification Information System (VIS) FTEs	3	3	27	27	62					
Counsel FTE	76	76	79	79	79					
Detention & Deportation Officer FTEs	NA	NA	NA	17	24					
Employer & Labor Relations FTE	7	6	5	8	8					
Support FTE (Border Patrol & Investigations)	85	69	60	79	134					
Output										
Worksite visits	8,309	7,643	5,963	6,000	6,500					
# of civil document cases completed*	892	1,674	695	NA	NA					
# of illegal aliens arrested	11,989	10,273	11,917	11,000	12,700					
Employer assistance	17,525	15,500	14,000	70,000	100,000					
VIS queries	2,063	2,575	2,800	30,000	150,000					
Intermediate Outcome										
Unauthorized workers identified (VIS only)	0	278	200	5,000	20,000					
Non-compliant employers identified	2,820	2,350	4,152	2,160	4,500					
# of voluntary departures (Pre/Post hearing)	NA	NA	NA	NA	NA					
# of voluntary removals under safeguards	NA	NA	NA	NA	NA					
# of OSCs issued	NA	NA	NA	NA	NA					
# of final orders of deportations	NA	NA	NA	NA	NA					
Employer Sanctions compliance rate	89%	89%	NA	NA	NA					
Removals from U.S.	NA	NA	NA	1,680	1,680					
End Outcome Productivity Efficiency										
Ratio of worksite visits to Agent FTE	25	27	18	19	12					

*The reduction in 274 C cases from 1994 to 1995 is a result of on-going litigation that is affecting INS' 274C processing. As of January 1996, the number of Investigations' 274C cases reported to the National Fines Office totaled 21. Given the effects of the ongoing litigation, Investigations has not provided an estimate for 1996 and 1997 274 C cases.

<p>A. Definition of Terms or Explanations for Indicators:</p>	<p>NA = Not available.</p> <p>NOTE: The above worksite enforcement information for FYs 1993 through 1995 was taken from the G-908 PAS report. The FY 1996 and FY 1997 targets were estimated using the FY 1995 estimate plus the FY 1996 Congressional Budget Submission and FY 1997 OMB Budget Submission initiatives. INS is presently working to improve the reporting mechanism to ensure the most timely and accurate information is available for worksite enforcement activities.</p> <p>Currently, INS tracks and reports financial resources by decision units as identified in budget documents. The above input indicators are sub-components of INS decision units and are not currently tracked in the financial reporting system. However, to provide some basis of relationship between inputs and outputs/outcomes INS has estimated FTEs for Special Agents, Detention and Deportation Officers, General Counsel, and Border Patrol Agents using workload data that is reported by activity. It should be noted that base FTEs are not estimated for Detention and Deportation (D&D) Officers, since D&D worksite enforcement workload data are not available. D&D FTEs for FYs 96 and 97 only include FTEs associated with D&D worksite initiatives.</p> <p>Worksite visits are the number of lead driven cases, GAP, National Targeting Plan, and follow-up inspections.</p> <p>Employer assistance is the number of employers educated and the number of outreach activities performed.</p> <p>Unauthorized workers identified is the number of aliens identified, by the VIS, as not being eligible for employment.</p> <p>Currently, the INS does not track or report voluntary departures, voluntary removals, orders to show cause, final orders of deportation and removals associated with worksite enforcement. INS is presently modifying existing systems to begin tracking worksite removals in FY 1996. Removal targets for FY 1996 and FY 1997 reflect enhancements only that were requested in the President's FY 1996 Budget.</p> <p>Given the limited number of years that INS has measured the employer sanctions compliance rate, and the various factors that affect this rate, INS is not currently able to estimate the effect enforcement and outreach activities may have on this rate. However, INS believes this to be a good performance measure, and as more is learned about the effects of enforcement activities on this compliance rate, INS will be better able to predict the rate.</p>
<p>B. Factors Affecting FY 1995 Program Performance:</p>	<p>C. Factors Affecting Selection of FY 1996 and 1997 Targets:</p> <p>The following factors will affect the targets identified above: other investigative priorities, staffing reductions/turnover, case complexity, availability of evidence, availability of funding, AUSA/INS attorney acceptance of case, AUSA presentation to Grand Jury, INS attorney presentation to U/OCAHO, AUSA/INS attorney prosecution settlement, and cooperation from alien's country of nationality or last residence. Also, GPRA reporting requirements capability may be affected due to unanticipated delay of various management information reporting systems.</p>

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GENERAL GOAL #4: INS Benefits and Service - INS will deliver services in a manner which shows we highly value our public. Services will be timely, consistent, fair, and of high quality.									
Element #1: Adjudications and Naturalization Application Processing									
PERFORMANCE INDICATORS INFORMATION									
Type of Indicator	Performance Indicators	1993 Actual	1994 Actual	1995 Target	1995 Actual	1996 Target	1997 Target		
Input	Adjudication- Examiner/Other - (FTEs in Hours) Adjudication- Clerks (FTEs in Hours) Overtime - Hours Total Number of Receipts (Applications): Family Services Business & Trade Services Resident & Status Services Naturalization & Citizenship Services	2,356,017 1,830,909 138,560 4,597,586 875,133 841,550 2,217,352 569,551	2,466,760 1,611,237 82,267 4,151,063 889,240 837,942 1,900,512 685,568	2,632,222 1,312,201 259,932 4,737,089 793,911 819,902 2,163,260 961,016	2,401,032 1,561,261 274,670 5,413,466 887,839 855,687 2,494,087 1,135,972	3,076,248 2,452,747 583,951 4,778,808 846,149 833,537 2,043,987 1,033,315	2,460,671 1,923,373 257,060 4,665,115 890,300 886,693 2,019,987 868,315		
Output/ Activity	Total Number of Receipts - Complete: Family Services Business & Trade Services Resident & Status Services Naturalization & Citizenship Services	4,290,897 976,968 844,062 2,042,485 417,382	3,925,028 760,273 881,889 1,778,944 503,922	4,073,051 787,631 913,374 1,788,922 583,134	4,332,258 816,274 852,448 2,109,303 554,333	4,959,633 796,487 748,032 2,086,016 1,329,098	5,130,173 985,218 925,281 2,000,014 982,976		
Intermediate Outcomes	Interviews Waived - Adjustment of Status Naturalization	N/A N/A	N/A N/A		N/A N/A	N/A N/A	N/A N/A		
End Outcome	Application Processing Times: (In days) Family Services Business & Trade Services Resident & Status Services Naturalization & Citizenship Services	40.22 18.16 42.57 252.68	101.70 17.50 81.79 251.79	150.12 25.85 125.19 330.34	120 28 104 546	146 84 98 146	83 53 106 155		
Productivity/ Efficiency	Production Rate (Total Completions/Total Hours Paid)	.99	.96	.97	1.02	.92	1.09		

<p>A. Definitions of Terms or Explanations for Indicators:</p> <p>Input - The number of FTE as measured by NFC payroll records at a specific point in time converted to hours.</p> <p>Output - The number of completions as reported by the Performance Analysis System (PAS).</p> <p>Intermediate Outcome - Waiving Interviews is not a goal of INS in and of itself, but is to be used as a tool to achieve INS' goal of timely and efficient processing of benefits, and is expected to increase productivity. As data becomes available, INS will update this section.</p> <p>These statistics are not currently maintained by the Adjudications and Naturalization program, but are part of a pilot to track the success of program initiatives, i.e. Streamlining/Re-Engineering the Naturalization Process.</p> <p>End Outcome - The application processing times is computed by dividing the End Pending by the number of Completions multiplied by 365 (days in year) and indicates INS' ability to not only maintain pace with incoming applications, but to work into pending workload.</p> <p>Productivity/Efficiency - Are determined by the dividing the total completions by the total paid hours, which represent the relative completions accomplished per hour.</p>	<p>B. Factors Affecting FY 1995 Program Performance</p> <p>During FY 1995, there was a significant increase in application receipts as compared to previous fiscal years, particularly in adjustment of status and naturalization applications, due to the Section 245(i) Provision and the legislative environment regarding entitlements and benefits to non-citizens. By the time INS could respond with reinforcements (additional personnel) in the field offices and service centers to accommodate the higher level of workload, INS had fallen further behind in processing. (The FY 1995 Exams Reprogramming did not become effective until June 7, 1995). FY 1995 was a transitional year for the Adjudications and Naturalization Program, whereby the level of services was enhanced not only to meet the challenges of processing the expected continued strong flow of benefit applications in FY 1996 and FY 1997, but to also regain control of and reduce pending levels.</p>
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<p>C. Factors Affecting Selection of FY 1996 and 1997 Targets.</p>	<p>INS is in the process of developing plans and pilot projects to re-engineer the naturalization process, reduce the naturalization backlog, etc. which involve processes and procedures new to INS. Because these initiatives are primarily either pilots or temporary ventures, these measures will not necessarily be applicable in the long term. INS chooses to track them in FY 1996 and FY 1997 to measure the successes or gains from these initiatives.</p>
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Immigration and Naturalization Service
Salaries and expenses
Financial Analysis - Program Changes
(Dollars in thousands)

Item	Training				Data & Communications				Legal Proceedings				Mgmt. & Admin.				Subtotal, Restore			
	Pos.	Amount	Pos.	Amount	Pos.	Amount	Pos.	Amount	Pos.	Amount	Pos.	Amount	Pos.	Amount	Pos.	Amount	Pos.	Amount	Pos.	Amount
RESTORE INFRASTRUCTURE																				
Grades																				
GS-15.....																				
GS-14.....																				
GS-13.....	9	486	25	\$1,350					90	\$5,760			33	1,782			90	5,760		
GS-12.....																	67	3,618		
GS-11.....																				
GS-10.....																				
GS-9.....																				
GS-8.....									23	575			92	2,852			92	2,852		
GS-7.....																	23	575		
GS-6.....																				
GS-5.....																				
GS-4.....																				
Total Positions & Annual Rate	9	486	25	1,350	113	6,335	125	4,834	113	6,335	125	4,834	125	4,834	272	12,805	272	12,805		
Lease (-)	(4)	(243)	(12)	(675)	(63)	(3,167)	(53)	(2,317)	(63)	(3,167)	(53)	(2,317)	(53)	(2,317)	(132)	(6,401)	(132)	(6,401)		
Other than permanent																				
Other personnel compensation																				
Total workyears and personnel	5	243	13	675	50	3,168	72	2,317	50	3,168	72	2,317	72	2,317	140	6,405	140	6,405		
Compensation																				
Personal Benefits		73		203		1,793		895		1,793		895		895		2,784		2,784		
Travel & transportation of persons																				
GSA Rent		84		214		784		208		784		208		208		992		992		
Commodities/Miscellaneous																				
Contractual		4,853		10,898		53		46		53		46		46		1,151		1,151		
Supplies and Materials		7		21		1,138		3,866		1,138		3,866		3,866		20,755		20,755		
Equipment		115		318		94		114		94		114		114		238		238		
Land & structures						2,774		2,037		2,774		2,037		2,037		5,244		5,244		
Total program WY & obligations changes requested, 1997	5	5,360	13	12,341	50	10,866	72	10,377	50	10,866	72	10,377	72	10,377	140	38,964	140	38,964		

Immigration and Naturalization Service
Salaries and expenses
Financial Analysis - Program Changes
(Dollars in thousands)

REMOVE CRIMINAL AND NON-CRIMINAL DEPORTABLE ALIENS										
Item	Investigations		Direct & Deport.		Legal Proceedings		Management & Administration		Subtotal	
	Pos.	Amount	Pos.	Amount	Pos.	Amount	Pos.	Amount	Pos.	Amount
Grades										
GS-15	...	...	...	...	...	\$195	...	...	...	195
GS-14	...	...	...	...	3	...	...	...	4	220
GS-13	4	\$220	...	...	...	...	...	...	5	230
GS-12	...	...	5	\$230	...	...	...	...	...	...
GS-11	...	...	...	...	...	...	2	\$76	4	152
GS-9	11	369	...	2	76	...	...	...	11	369
GS-7	5	139	12	312	2	52	...	...	19	503
GS-6	...	...	...	...	...	...	...	...	...	...
GS-5	...	...	15	315	...	...	...	...	15	315
GS-4	3	60	10	180	...	...	...	...	13	250
Total Positions & Annual Rate	23	808	44	1,123	5	247	2	76	74	2,254
Lapses (-)	(12)	(404)	(22)	(582)	(2)	(124)	(1)	(38)	(37)	(1,129)
Other than permanent	...	...	...	...	...	...	...	...	...	...
Other personnel compensation	1	31	6	210	...	...	...	...	9	241
Total workyears and personnel	12	436	30	771	3	123	1	36	46	1,366
Compensation	...	258	...	255	...	87	...	12	...	592
Personnel Benefits	...	199	...	382	...	44	...	18	...	643
Travel and transportation of persons	...	10	...	21	...	2	...	...	...	34
GSA Rent	...	499	...	13,026	...	96	...	21	...	14,242
Comm/Utilities/Miscellaneous	...	69	...	...	...	4	...	2	...	152
Other Services	...	708	...	2,331	...	64	...	26	...	3,129
Supplies and Materials	...	...	...	...	...	...	...	...	...	...
Equipment	...	...	...	...	...	...	...	...	...	...
Land & structures	...	...	...	...	...	...	...	...	...	...
Total program WY & obligations	12	2,245	30	17,835	3	425	1	118	46	20,422
changes requested, 1997										

Department of Justice
Immigration and Naturalization Service
Salaries and Expenses
Status of Congressionally Requested
Studies, Reports, and Evaluations

1. Public Law 102-395, Section 112 (5), requires a report on the financial condition of the Breached Bond/Detention Account. The requested information is included in the 1997 President's budget request for the Breached Bond/Detention Account.
2. Public Law 101-515, Section 210 (d) (3), requires a report on the financial condition of the Land Border Inspection Fee Account. The requested information is included in the 1997 President's budget request for the Land Border Inspection Fee Account.
3. Public Law 101-515, Section 210 (a), requires a report on the financial condition of the Immigration Examinations Fee Account. The requested information is included in the 1997 President's budget request for the Immigration Examinations Fee Account.
4. Public Law 101-515, Section 210 (a) (5), requires a report on the financial condition of the User Fee Account and progress in meeting the 45 minute standard. The financial condition information is included in the 1997 President's budget request for the Immigration User Fee Account.
5. Public Law 101-515, Section 210 (d) (3), requires quarterly reports on the status of the Land Border Inspection Project.
6. Chairman Roger's 6/7/95 letter requests the submission of a monthly report addressing INS' status in processing applications for naturalization adjustment of status, and employment authorization documents. The July report was transmitted on 10/30/95. A second report covering August, September and October 1995 has been sent to the Department and will be sent to Congress shortly.
7. House Report 104-196 and Conference Report 104-378 require the INS to consult the Appropriations Committees before a final allocation is made of Border Patrol agents and inspectors to the Southwest border. The Committees were briefed on the Deployment Plan for agents and inspectors on 1/19/96.

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8. House Report 104-196 and Conference Report 104-378 require consultation with the Appropriations Committees before making a final decision on staffing levels at Miami and Hawaii airports. No enhancements were included in the 1996 User Fee budgets; however INS may reallocate additional positions to Miami. The Appropriations staff will be kept informed.
9. House Report 104-196 and Conference Report 104-378 request that the INS consult the Appropriations Committees on the Unified Port Management Pilot, to include input on the selection of a port director and evaluation of the project. The Congressional staff was consulted on 1/26/96.
10. House Report 104-196 and Conference Report 104-378 require consultation with the Appropriations Committees before a final allocation is made of the additional personnel for central states interior enforcement initiatives. The Committees were briefed on the Deployment Plan on 1/19/96.
11. House Report 104-196 and Conference Report 104-378 require the INS to consult the Appropriations Committees before redeployment of 200 interior Border Patrol agents. The Committees were briefed concerning the methodology on 1/19/96. Further consultation is expected in April 1996 on actual redeployment and backfill plans.
12. House Report 104-196 requires the INS to submit an implementation plan to close the San Clemente and Temecula checkpoints and redeploy personnel and resources to the San Diego Border Patrol stations. The final report was transmitted to Congress on 11/1/95.
13. House Report 104-196 requires that the INS review the supervisory ratio and headquarters staffing in the Inspections Program and report plan to reduce this ratio and the number of staff at headquarters and move the inspectors to front-line activities. The final report was prepared and sent to DOJ on 3/1/96.
14. House Report 104-196 requires consultation with the Appropriations Committees as to the activities and locations of 400 new inspectors before they are deployed. The Committees were briefed on the Deployment Plan on 1/19/96.
15. House Report 104-196 requires the INS to consult with the House Appropriations Committee on the development of a pilot program on collecting records of departing passengers at three of the five airports with the heaviest volume of incoming traffic from foreign territories, and submit the plan for implementation to the Committee by 1/15/96. The report is in the final stages of preparation and will be submitted shortly.

16. Senate Report 104-139 requires the development of a five-year Border Patrol deployment plan by State, which emphasizes staffing levels at the Southwest border, to support the greatest areas of illegal traffic. The report is being prepared and will be submitted in the near future.
17. Senate Report 103-309 requires that the INS work with the U.S. Customs Service to conduct a joint study of the feasibility of making Frontier, Washington Port-of-Entry a 24-hour-a-day operation. This report was published with two Inspections Program reports (see no. 13) and transmitted to DOJ on 3/1/96.
18. Conference Report 104-378 requires quarterly reports to the Appropriations Committees on the progress and plans in meeting hiring goals for new Border Patrol agents. The first report is expected in the next few weeks.
19. Conference Report 104-378 requires the INS to seek approval from the Appropriations Committees of any changes in the current policy that eliminates high speed pursuits at California checkpoints. There has been no change in policy.
20. Conference Report 104-378 requires the INS to notify Congress of implementation of a commuter lane facilitation pilot program at the San Clemente checkpoint.
21. Conference Report 104-378 requires the INS to notify Congress of the completion of renovations and improvements at the San Clemente checkpoint.

Immigration and Naturalization Service
Salaries and Expenses
Priority Ranking
Fiscal Year 1997

Program	Base Program	Ranking	Initiative	Program Increases	Ranking
Border Patrol		1	Restore Infrastructure		1
Inspections		2	Border Facilitation & Control		2
Detention & Deportation		3	Remove Criminal and Non-Criminal Deportable Aliens		3
Investigations		4	Reduce Incentives for Unauthorized Employment and Benefits		4
International Affairs		5			
Intelligence		6			
Legal Proceedings		7			
Training		8			
Management & Administration		9			
Data & Communications		10			
Information & Records Mgmt		11			
Construction & Engineering		12			
Adjudications & Naturalization		13			

**Immigration and Naturalization Service
Salaries and Expenses
Summary of Changes
(Dollars in thousands)**

	Perm. Est.	Work- years	Amount
1996 Conference Allowance.....	15,424	13,976	\$1,394,826
Adjustments in Workyears.....	"	523	"
1996 Appropriation Anticipated.....	15,424	13,355	1,394,826
Adjustments to base:			
Transfers (U.S. Marshals Service Prisoner Transport).....	-43	-43	-10,300
Streamlining.....	-111	-111	"
Unfunded ceiling reduction.....	-281	-286	"
Transfer of base funding to the Violent Crime Reduction Program for detention and deportation.....	"	"	-48,011
Re-distribution of mail management and financial operations.....	"	"	-38
Increases:			
1. Annualization and nonrecurring costs of 1996 position increases.....	"	1,519	107,174
2. 1997 Pay Rate.....	"	"	14,827
3. Annualization of 1996 pay raise.....	"	"	6,106
4. Annualization of 1996 locality pay adjustment.....	"	"	2,009
5. Foreign Allowance.....	"	"	1
6. Accident Compensation.....	"	"	1,620
7. Medical hospital service costs.....	"	"	106
8. Travel mileage allowance rate increase.....	"	"	173
9. Commerce business daily cost increase.....	"	"	2
10. General pricing level adjustments.....	"	"	5,275
Total, increases.....	"	1,519	136,293
1997 Base.....	14,969	14,454	1,472,771
Program changes.....	1,578	897	211,143
1997 Request.....	16,547	15,351	1,683,914

**Immigration and Naturalization Service
Salaries and Expenses
Justification of Adjustment in Base
(Dollars in thousands)**

Adjustment to Base:	1995	1996	Amount
Transfer:			
To U.S. Marshal Service for Prisoner transportation:			
This transfer moves 43 positions, 43 workyears and \$10,300,000 from INS to USMS in support of the X-in Prisoner and Alien Transportation Network (PATN), which is now consolidated under USMS.	-43	-43	-\$10,300
To Violent Crime Reduction Programs:			
A total of \$48,011,000 is proposed to be transferred from the Detention and Deportation program in Salaries and Expenses appropriation to the Violent Crime Reduction Programs to allow the Department to stay within the domestic discretionary ceiling. Language is proposed to amend the authority of the VCRP to be used for other activities.			-48,011
Redistribution for Mail Mgt. & Financial Oper:			
The redistribution is necessary in order to more accurately align the base funding originally transferred to accounts in the FY 1995 budget with the actual method being used to distribute the Mail Management operating costs. The funds are being redistributed based on the FY 1995 survey of mail volume, since this represents the most current information available.			-36
Streamlining:			
Streamlining savings are projected due to cost savings initiatives in various programs, including increasing automation, contracting out for services and increasing the efficiency of administrative support.	-111	-111	...
Unfunded ceiling reduction:			
This reduction adjusts positions and workyears in programs in which base resources are not adequate to support authorized resource levels.	-281	-286	...
Subtotal, transfers and other adjustments:	-435	-112	-\$58,347

1425

Increases

Annualization of 2,648 additional positions approved in 1996. This provides for the annualization of 6848 positions approved in the 1996 President's budget for (the Inspections, Border Patrol, Investigations, Detention and Deportation, Intelligence, Data and Communications, Information and Records Management, Construction and Engineering, Legal Proceedings, and Management and Administration programs).

1,519 \$107,174

Approved
1996 IncreasesAnnualization
Required

Annual salary rate of approved positions.....
Other personnel compensation.....
Less Lapse (50%).....
Net Compensation.....
Associated employee benefits.....
Other (non-personnel).....
Travel.....
Transportation of things.....
GSA Rent.....
Communications/Utilities.....
Other Services.....
Supplies/Materials.....
Equipment.....

\$94,905
10,933
-58,563
51,275
29,079
18,294
3,540
14,955
1,285
43,398
34,464
20,654

\$54,563
13,167

67,730
33,531
20,125
4,317
-9,442
1,305
-18,638
11,703
-51,080

Total costs subject to annualization

266,944

186,764

1997 pay rates

This request provides for the proposed 3.0 percent pay rate to be effective in January of 1997, and is consistent with Administration policy included in the 1997 President's budget. The amount requested, \$14,827,000, represents the pay amount for three-quarters of the fiscal year plus appropriate benefits (\$11,415,000 pay and \$3,412,000 benefits = \$14,827,000).

14,827

Annualization of 1996 pay rates

This pay annualization represents first quarter amounts (October through December) of the 1996 pay increase of 2.4 percent, plus appropriate personnel benefits (\$3,782,000 for pay and \$1,324,000 for benefits).

5,106

Annualization of 1996 locality pay adjustment This adjustment represents the locality pay increase received January 1996.	\$2,009
Foreign allowances Allowances for Government employees in foreign areas are determined by the Department of State (DOS). The requested increase of \$1,000 provides a 3.1 percent increase over the obligations of \$76,993, which are projected for 1996.	1
Accident Compensation This increase reflects the billing provided by the Department of Labor (DOL) for the actual costs in 1995 of employees' accident compensation. The 1997 amount will be \$1,620,000.	1,620
Medical Hospital Service costs The Department of Health and Human Services is projecting an increase in health care costs. The Department is applying a factor of 5.3 percent against medical services. An increase of \$106,000 will be required.	106
Travel/mileage allowance rate increase The mileage allowance rate has increased from 25 to 30 cents per mile. An increase of \$173,000 is requested in 1997 to cover this rate adjustment.	173
Commerce Business Daily Printing Increase The Commerce Business Daily announced that, effective Oct. 1, 1995, it will charge \$18.00 for printing any notice in its publication. The increase of \$2,000 covers the estimated cost for this new charge.	2
General pricing level adjustments This request applies OMB pricing guidance in the President's budget to selected expense categories. The increased costs identified result from applying a factor of 2.9 percent against those subobject classes where the prior year the Government pays are established through the market system instead of by law or regulation. Generally, the factor is applied to supplies, materials, equipment, contracts with the private sector, printing costs, transportation costs, and utilities.	5,275
Subtotal, increases	1,519 136,231
Total, adjustments to the base	1,099 77,946

Immigration and Naturalization Service
Salaries and Expenses
Summary of Disbursements by Grants and Object Class
(Values in thousands)

Object Class	1997 Actual		1998 Appropriation		1997 Request		Increase/Decrease	
	Workyears	Amount	Workyears	Amount	Workyears	Amount	Workyears	Amount
11.1 Full-time personnel	11,448	\$453,961	12,342	\$528,290	14,136	\$622,042	1,794	\$89,752
11.2 Part-time personnel	1,145	18,275	1,145	18,275	1,145	18,275	-	-
11.3 Other personnel compensation	4,460	132,498	4,770	138,127	5,034	142,127	264	24,200
11.8 Special personnel services payments	-	-	-	-	-	-	-	-
Total, workyears and personnel compensation	16,330	603,905	18,125	685,115	20,189	803,504	2,064	118,360
12.1 Civilian personnel benefits	162,321	204,076	204,076	263,478	243,478	59,300	59,300	59,300
13.0 Benefits for former personnel	4,471	8,433	8,433	8,433	8,433	-	-	-
21.0 Travel and transportation of personnel	28,115	41,968	41,968	42,748	42,748	2,177	2,177	2,177
21.1 Travel and transportation of personnel	28,115	41,968	41,968	42,748	42,748	2,177	2,177	2,177
23.1 Rental payments to GSA	55,304	71,142	71,142	76,038	76,038	4,896	4,896	4,896
23.2 Rental payments to others	8,259	8,259	8,259	8,554	8,554	295	295	295
24.0 Communications, utilities & miscellaneous charges	1,340	2,373	2,373	2,373	2,373	-	-	-
24.1 Communications	1,340	2,373	2,373	2,373	2,373	-	-	-
24.2 Other communications	-	-	-	-	-	-	-	-
24.3 Utilities	-	-	-	-	-	-	-	-
24.4 Other charges	-	-	-	-	-	-	-	-
25.0 Other contractual services	131,620	168,516	168,516	225,448	225,448	56,932	56,932	56,932
26.0 Supplies & materials	58,689	80,628	80,628	91,490	91,490	10,862	10,862	10,862
26.1 Supplies	58,689	80,628	80,628	91,490	91,490	10,862	10,862	10,862
26.2 Materials	-	-	-	-	-	-	-	-
32.0 Land and structures	25,067	8,345	8,345	8,345	8,345	-	-	-
42.0 Insurance claims and indemnities	298	140	140	140	140	-	-	-
43.0 Interest and dividends	5,018	-	-	-	-	-	-	-
44.0 Miscellaneous	1,145	-	-	-	-	-	-	-
61.0 Unexpended	5	15	15	15	15	-	-	-
Total obligations	16,330	1,407,061	18,125	1,506,262	20,189	1,683,514	2,064	206,432
Unobligated balance, start of year	-	-	-	-	-	-	-	-
Unobligated balance, end of year	-	4,045	-	3,457	-	-	-	-
Total requirements	-	3,457	-	3,457	-	-	-	-
Unobligated balance, start of year	-	564	-	564	-	-	-	-
Unobligated balance, end of year	-	1,101,857	-	1,304,825	-	-	-	-
Reallocation of obligations to outlays	-	-	-	-	-	-	-	-
Outlays	-	-	-	-	-	-	-	-
Obligations	1,407,061	1,407,061	1,506,262	1,506,262	1,683,514	1,683,514	176,252	176,252
Unobligated balance, start of year	-	-	-	-	-	-	-	-
Unobligated balance, end of year	-	303,345	-	303,345	-	-	-	-
Adjustments, expired accounts	-	22,468	-	22,468	-	-	-	-
Outlays	-	1,057,409	-	1,320,392	-	-	-	-

Immigration and Naturalization Service Building and Facilities Status of Construction and Summary of New Facilities Requirements (DOLLARS IN THOUSANDS)									
BORDER PATROL PROJECTS	AMOUNT FUNDED	FISCAL YEAR FUNDED	SOURCE OF FUNDS	OBLIGATIONS TO DATE	TOTAL ESTIMATED		PROJECT COST	ESTIMATED FINISH DATE	PROJECT STATUS
1 Port Isabel, TX BPS	\$695	1987	IRCA	\$483		\$695		8/98	Construction underway.
2 San Clemente, CA Checkpoint	\$7,500	1991-1992	Approp	\$7,500		\$9,375		TBD	To provide a safe and efficient Checkpoint facility to support operations. Project being re-evaluated by INS-DOJ (on hold). 298 additional funds to be reprogrammed from Contingency. Reprogramming account.
3 San Diego, CA BPSH - Central Processing Unit	\$1,000	1994	Approp	\$1,000		\$1,000		6/98	Construction underway.
4 Brown Field, CA BPS - Utilities	\$1,722	1994	Approp	\$1,722		\$1,722		9/98	Bring utility service to Brownfield site obtained from U.S. Navy. Design meeting completion.
5 Brown Field, CA BPS	\$3,077	1994	Approp	\$0		\$3,077		7/99	Design and Construct new BPS, replace.
6 Campo, CA BPS - Addition	\$1,000	1994	Approp	\$1,000		\$1,000		8/97	Replace obsolete facility, expend and modernize. USF Remediation in progress (BOK-FY-95).
7 Del Rio, TX BPS	\$3,000	1994	Approp	\$3,000		\$3,000		1/98	SOW complete, awarded to COE 9/95.
8 Santa Teresa, NM BPS - temporary	\$300	1994	Approp	\$300		\$300		4/98	Temporary station to support operations until new BPS complete. COE to do project. SOW complete.
9 San Diego/Centro Sectors (HEALTH & SAFETY PROJECTS)	\$500	1994	Approp	\$70		\$500		10/98	Funds required for repairs and alterations at existing facilities to comply with Natl. Fire & Life Safety codes.
10 San Diego, CA Sector - Border Fence/Lights/Roads	\$800 \$800	1994 1995	Approp	\$852		\$1,600		7/98	Enhanced Border barriers support for Border control operations. Material being procured. Sector level projects - support from ACL.

(TBD TO BE DETERMINED)

BORDER PATROL PROJECTS	AMOUNT FUNDED	FISCAL YEAR FUNDED	SOURCE OF FUNDS	OBLIGATIONS TO DATE	TOTAL ESTIMATED PROJECT COST	ESTIMATED FINISH DATE	PROJECT STATUS
11 Santa Teresa, NM BPS - permanent	\$2,850	1995	Approp	\$224	\$2,850	TBD	Project integrated with siting of temporary BPS.
12 Arizona - Border Fence/Roads	\$250	1995	Approp	\$50	\$250	9/96	Sector level project w/ACL support. Funds to ACL for procurement of material.
13 Nogales BPS	\$6,000	1995	Approp	\$0	\$6,000	TBD	Replace obsolete, under sized BPS.
14 Brown Field, CA - BPS Overflow Building	\$3,300	1995	Approp	\$0	\$3,300	8/99	Design and Construct annex to support 300 additional agents. ROW under development.
15 Chula Vista, CA BPS Overflow Building	\$1,670	1995	Approp	\$0	\$1,670	TBD	Design and Construct annex, or modify existing structures to support 300 additional agents. Sector to submit proposal. Costs will increase.
16 Imperial Beach, CA BPS Overflow Building	\$3,700	1995	Approp	\$0	\$3,700	7/99	Design and Construct annex to support 300 additional agents. ROW under development.
17 San Diego, CA BPSH Vehicle Maintenance Garage	\$6,500	1995	Approp	\$4,500	\$6,500	6/99	BPSH support facilities to be located at Brownfield site. 2098 Est. increase of 500K. ROW to COE 2/28/98
18 San Diego, CA BPSH Facilities Maintenance Shop	\$5,200	1995	Approp	\$5,200	\$5,200	6/99	BPSH support facilities to be located at Brownfield site. 2098 Est. increase of 100K. ROW to COE 2/28/98
19 San Diego, CA BPSH Electronics Shop	\$2,700	1995	Approp	\$2,700	\$2,700	6/99	BPSH support facilities to be located at Brownfield site. ROW to COE 2/28/98
20 Calexico, CA BPS Buy-out	\$4,000	1995	Approp	\$0	\$4,000	5/97	Permanently acquire lease facility.
21 Alamoogordo, NM Hwy 54 Traffic Checkpoint	\$487	1995	Approp	\$61	\$487	9/97	Modular design to be used for all Checkpoint projects. EIA underway. ACD to complete.
22 Alamoogordo, NM Hwy 70 Traffic Checkpoint	\$356	1995	Approp	\$0	\$356	9/97	Modular design to be used for all Checkpoint projects. EIA underway. ACD to complete.

(TBD: TO BE DETERMINED)

PROJECTS	AMOUNT FUNDED	FISCAL YEAR FUNDED	SOURCE OF FUNDS	OBLIGATIONS TO DATE	TOTAL ESTIMATED PROJECT COST	ESTIMATED FINISH DATE	PROJECT STATUS
14 Las Cruces, NM I-10 Traffic Checkpoint	\$255	1995	Approp	\$0	\$255	9/97	Modular design to be used for all Checkpoint projects. EIA underway. ACD to complete.
15 Las Cruces, NM I-225 Traffic Checkpoint	\$255	1995	Approp	\$0	\$255	9/97	Modular design to be used for all Checkpoint projects. EIA underway. ACD to complete.
16 Las Cruces, NM Hwy 165 Traffic Checkpoint	\$356	1995	Approp	\$0	\$356	9/97	Modular design to be used for all Checkpoint projects. EIA underway. ACD to complete.
17 El Paso Sector - Yuleta Hwy 62/180 Traffic Checkpoint	\$542	1995	Approp	\$0	\$542	9/98	Modular design to be used for all Checkpoint projects. EIA underway. ACD to complete.
18 El Paso, TX Sector - Border Fence/Light/Roads	\$1,250	1995	Approp	\$84	\$1,250	3/98	Sector level project, with ACD support.
19 Charleston Naval Base, SC	\$2,346 \$2,170	1995 1996	Approp	\$1,000	\$5,046	2/98	Establish additional training site to insure the proper training of new Border Patrol Agents and Officers.
20 SW Border Health & Safety	\$3,000	1996	Approp	\$0	\$3,000	TBD	Funds required for repairs and alterations at existing facilities to comply with NFPA Fire & Life Safety codes.
21 Tucson BPS	\$4,000	1996	Approp	\$0	\$4,000	TBD	Replace BPS which was identified as the "worst" IHS facility in the SW Border.
22 Triple Fencing Pilot	\$4,300	1996	Approp	\$0	\$4,300	TBD	Test Border Control impact of triple fencing in San Diego Sector.

(TBD - TO BE DETERMINED)

DETENTION PROJECTS	AMOUNT FUNDED	FISCAL YEAR FUNDED	SOURCE OF FUNDS	OBLIGATIONS TO DATE	TOTAL ESTIMATED PROJECT COST	FINISH DATE	PROJECT STATUS
11 El Paso 200-bed Dormitory (2 each)	\$4,537	1990, 1994	Approp	\$4,194	\$4,537	8/97	AEE completed for two dorms with 4 fifty bed modules. COE project.
12 Krome 300-bed Replacement Dorm	\$5,250	1994	Approp	\$5,250	\$5,250	8/97	Replace male dormitory damaged by fire - 592. SOUTHVIEW project using DesignBuild. Release per 1/98. Design complete by 1/98.
14 Krome 300-bed Lichen Dorm	\$10,500	1991, 1994	Approp	\$1,057	\$11,026	3/98	Secure 300 bed dorm. Initial \$4.5 M. In FY-91. Contract AEE. Design 75% complete. Design complete 8/98.
15 Krome Support Structure	\$0			\$0	\$1,712	9/97	Structural, renovation and Construction for Multi-purpose buildings, Kitchen and Administrative Center.
16 El Paso Infirmary	\$934	1994	Approp	\$934	\$934	8/97	Replace existing portable facility. Design complete 12/93.
17 El Paso SPC Const. Initiative	\$3,483	1994	Approp	\$745	\$4,483	10/97	Support facilities to accommodate 400 bed increase in detainee population. COE project.
18 San Francisco SPC 300-bed	\$11,250	1994	Approp	\$0	\$23,897	TBD	Site selection process begun. Planning and programming to be conducted using Buffalo FDC as model, adapt to S.F. SPC. Project will require additional funds or a phased schedule limited to funds available.
19 Buffalo FCS 250-bed Congressional Budget 1998	\$10,300 \$11,000	1994 1996	Approp	\$46	\$21,755	1/98	Site selection. Enviro. Impact completed. Construction contract to be awarded 8/98. HQDOP and USMA to fund shortfall from program funds.

(TBD - TO BE DETERMINED)

Department of Justice
 Immigration and Naturalization Service
 Construction
 Estimates for Fiscal Year 1997
Table of Contents

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Immigration and Naturalization Service

Construction
Summary Statement
Fiscal Year 1997

For FY 1997, the Immigration and Naturalization Service (INS) requests 2 positions, 1 workyear, and \$3,541,000 in the Construction account. This request represents a decrease in funding from the FY 1996 enacted Appropriation of \$25,000,000.

The INS Construction account was established in the FY 1995 Appropriations Act for the Department of Justice (P.L. 103-317). Section 34 of the law provided an initial \$50,000,000 to fund prioritized border infrastructure requirements of INS. Due to the INS' immediate focus on "prevention through deterrence" along the Southwest border, the first priority for obligations from this account were for border stations, for station-related infrastructure, and for front line enforcement related activities.

The request includes 2 positions, 1 workyear, and \$4,441,000 for underground storage tank remediation. Service leaking problems have been identified at numerous Border Patrol sites, which have created a hazardous environmental situation for the surrounding communities. In addition, \$1,100,000 is requested for facility repair and alteration at the Port Isabel Service Processing Center. Renovation of the facility is necessary to meet building health and safety standards, in order to fully utilize the existing and future bedspaces. The INS Construction account is a no-year account in which funds remain available until expended.

**Investigation and Naturalization Service
Contracts
Justification of Proposed Changes in Appropriation Language**

The 1997 budget estimates include proposed changes in appropriation language listed and explained below. New language is underscored and deleted matter is enclosed in brackets.

Construction

For planning, construction, renovation, equipping and maintenance of buildings and facilities necessary for the administration and enforcement of the laws relating to immigration, naturalization, and alien registration, and otherwise provided for, \$3,541,000, in amounts available until expended.

Note:--A regular 1996 appropriation for this account has not been enacted at the time this budget was prepared. The 1996 amounts included in this budget are based on the levels provided in the three continuing resolutions: P.L. 104-91, P.L. 104-92, and P.L. 104-99.

Immigration and Naturalization Service
Construction
Crosswalk of 1988 Changes
(Dollars in thousands)

Activity/Program	1988 President's Budget Request			Congressional Appropriation Action On 1988 Budget Request			1988 Appropriation Anticipated		
	Poa.	WY	Amt.	Poa.	WY	Amt.	Poa.	WY	Amt.
Construction and Engineering.....	\$25,000	..	..	\$25,000
Total.....	25,000	..	..	25,000

**Restore Infrastructure
Construction Account**

	Positions	Workyears	Amount (\$000s)
Construction and Engineering	2	1	\$ 5,541
Total:	2	1	\$ 5,541

Proposed Actions

This proposal builds on current efforts to improve those infrastructure areas which require immediate attention. INS is dedicated to the cleanup of environmentally hazardous sites due to leaking underground storage tanks, as well as the renovation of a Service Processing Center (SPC) to meet health and safety standards. Without safe, operable facilities, INS' ability to pursue enforcement efforts nationwide will be compromised. This proposal will allow INS to continue underground storage tank remediation and begin renovation of the Port Isabel, TX SPC.

	Positions	Workyears	Amount (\$000s)
Construction and Engineering	2	1	\$ 5,541

Program investments of 2 positions, 1 workyear, and \$5,541,000 are requested for Construction and Engineering in FY 1997 for the following projects:

Underground Storage Tank Remediation (2 Pos., 1 FYR, \$4,441,000) - -

The INS has in excess of 100 fuel storage tanks in operation throughout the country. INS operates facilities which are currently contaminated with petroleum products; are urgently in need of upgrade or replacement; or in non-compliance with EPA regulations. Severe leaking underground storage tank problems at a number of Border Patrol locations have been identified. In several instances, leakage has created a hazardous situation for the surrounding communities. A five-year plan, designed to correct these deficiencies has

been implemented in order to address these fuel tank projects. Project prioritization will be based on immediate requirements related to health and safety and environmental impact of the communities involved, which will be coordinated with the Border Patrol's Strategic Plan geographic "phases." The resources required are for implementation of a five-year plan for the removal of leaking underground storage tanks and cleanup of contaminated areas. These resources are requested as no-year funding and will be recurred over the next five years. INS has already begun to remediate the most serious storage tank problems in FY 1995 and FY 1996 to complete year one of INS' plan. The FY 1997 proposal represents year two of INS' five-year plan.

Port Isabel, TX SPC facility repair and alteration (\$1,100,000)

One of INS' most critical sites in need of renovation is the Port Isabel SPC. At this time, this detention site does not meet adequate health and safety standards to house detainees at full capacity. Without significant measures to renovate and improve the facility, the dormitories and support buildings will continue to deteriorate to hazardous levels. Ultimately, INS' ability to provide adequate detention will continue to decline given the current condition of the facility. The \$1,100,000 will be used for initial repairs and to begin Phase I of the renovation process.

Investigation and Naturalization Service
 Conversion Account
 Financial Analysis - Program Changes
 (Dollars in thousands)

Item	Conversion & Enrichment	
	Pos.	Amount
Guides		
OS-15	2	127
OS-14		
OS-13		
OS-12		
OS-11		
OS-9		
OS-7		
OS-4		
OS-3		
Total Positions & Annual Rate	2	127
Lapse (-)	(1)	(64)
Other than permanent		
Other personnel compensation		
Total workyears and personnel	1	64
Compensation		
Recruitment		
Travel and transportation of persons		
GSA Rent		
Communications		
Other Services		
Supplies and Materials		
Equipment		
Land & structure		
Total program WY & obligations	1	5,541
CHANGES REQUESTED (187)		

Immigration and Naturalization Service
 Construction
 Detail of Permanent Positions by Category
 Fiscal Years 1995 - 1997

Category	1995	1996	1997
	Auth.	Auth.	Program Increases Request
Engineering and Architecture (800-899)	2 2
Washington.....	2 2
Total.....	2 2

**Investigation and Information Section
Summary of Activity by Agency and Bureau Division
F.Y. 1992**

Division Unit	1992 Investigation / Information				1992 Foreign Division				1992 Foreign Level			
	Agents	Attorneys	Support	Total	Agents	Attorneys	Support	Total	Agents	Attorneys	Support	Total
Investigation	1			1								
Border Patrol												
Immigration												
Customs & Border Protection												
Admission & Naturalization												
Consular Affairs												
Training												
Off & Crime, Systems												
Identification & Records Mgmt.												
Crime & Engineering												
Legal Proceedings												
Investigation & Administration												
Total	1			1								

Immigration and Naturalization Service
Construction
Summary of Change
(Dollars in thousands)

	Positions	Work- years	Amount
1996 Appropriation Anticipated.....	...	...	\$26,000
Adjustments to base:			
Decreases.....	(26,000)
1997 Base.....
Program Changes.....	2	1	6,641
1997 Request.....	2	1	6,641

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**Immigration and Naturalization Service
Construction
Summary of Requirements by Grade and Object Class
(Dollars in thousands)**

Grades and Salary Ranges	1996 Actual		1996 Estimate		1997 Request		Increase/Decrease	
	Position A	Workyears	Position A	Workyears	Position A	Workyears	Position A	Workyears
GS-13, \$49,859-64,814.....	2	127	2	127
Total positions.....	2	127	2	127
Pay above stated annual rates.....
Leave.....
Shortage due to lower pay scales for part of year.....	(1)	(63)	(1)	(63)
Net full-time permanent.....	1	64	1	64
Other than permanent:								
Temporary employment.....
Other personnel compensation:								
Overtime.....
Total, temporary and personnel compensation.....	1	64	1	64
Average GS Salary.....	963,500	..	..
Average GS Grade.....	13.00	..	..

**Immigration and Naturalization Service
Construction
Summary of Requirements by Grade and Object Class
(Dollars in thousands)**

Object Class	1996 Actual		1996 Estimate		1997 Projected		Increase/Decrease	
	Workyears	Amount	Workyears	Amount	Workyears	Amount	Workyears	Amount
11.1 Full-time permanent.....
11.2 Other than permanent.....	1	\$64	1	\$64
11.3 Other personnel compensation.....
Total, salaries and personnel compensation.....	1	\$64	1	\$64
12 Personal benefits.....
12.1 Travel and transportation of persons.....	...	1	...	...	...	16	...	16
12.2 Transportation of things.....
12.3 USA rent.....	19	...	19
12.3.1 Rental payments to others.....
12.3.2 Communications, utilities and miscellaneous charges.....	...	16	...	...	...	1	...	1
12.3.3 Printing and reproduction.....
12.3.4 Other services.....	...	2,496	...	34,066	...	14,019	...	(20,072)
12.3.5 Supplies and materials.....	...	396	...	...	...	2	...	2
12.3.6 Equipment.....	26	...	26
12.3.7 Land and Structures.....	11,362	...	18,002	...	6,640
12.3.8 Total obligations.....	...	2,663	...	46,447	1	32,141	1	(14,306)
Unobligated balance, start of year.....	...	43,047	...	(47,047)	...	(24,000)	...	...
Unobligated balance, end of year.....	...	\$0,000	...	\$0,000	...	...	...	...
Total requirements.....	\$2,400	...	8,141	...	...
Balance of obligations to outlay:
Obligations.....	...	2,663	...	46,447	...	32,141	...	...
Obligated balance, start of year.....	363	...	22,600	...	...
Obligated balance, end of year.....	...	(26,530)	...	(22,600)	...	(21,600)	...	...
Outlays.....	...	2,600	...	23,200	...	\$3,341	...	...

Department of Justice
Immigration and Naturalization Service
Violent Crime Reduction Program
Estimate for Fiscal Year 1977
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Immigration and Naturalization Service

Violent Crime Reduction Program Summary Statement Fiscal Year 1997

The Immigration and Naturalization Service (INS) requests 1,913 permanent positions, 1,551 workyears, and \$458,168,000 in the Violent Crime Reduction Program (VCRP). This request represents an increase of 99 positions, 228 workyears, and \$141,970,000 above the Appropriation enacted for FY 1996 (1,814 positions, 1,523 workyears, and \$316,198,000).

Total program increases for FY 1997 include 99 positions, 51 workyears, and \$68,483,000. This request will enhance INS' ability to further implement its strategy to control the border, reduce crime and urban pressures resulting from illegal immigration, and help State and local governments provide quality services to the law enforcement community. The increases associated with each of these initiatives follow.

Border Facilitation and Control

The FY 1997 request includes a total of \$16,790,000 for automation support for the Southwest border, port facilitation, and for continued implementation of management initiatives. Of this amount, \$16,665,000 is requested in INS Data and Communications program to build on the commitment to strengthen border controls. This increase will enable INS to replace current automated systems that have become old, obsolete, and/or inoperable. Also, additional infrared scopes, Low Light Level Television (LLLTV) systems and sensors, and port facilitation equipment will be purchased to enhance the capabilities of INS to maintain the integrity of the borders of the United States.

The remaining funds (\$125,000) will enable the Inspections program to oversee, coordinate, and evaluate continued implementation of management initiatives including INS/Customs cooperation efforts, elements of the FY 1995 U.S./Canadian Accord, and various National Performance Review reengineering plans.

Restren Infrastructure

Under this initiative, INS requests 1 position, 1 workyear, and \$32,950,000. This request supports the INS-wide wireless digital radio infrastructure (1 position, 1 workyear, and \$14,070,000) and the purchase of weapons and soft body armor (\$2,180,000). The request also provides for the replacement of three helicopters (\$2,700,000) and provides funds to maintain the passenger vehicle, truck, and bus fleet of INS on standardized replacement cycles (\$14,000,000).

Removal of Criminal and Non-Criminal Aliens

In order to enhance the efforts of INS in removing criminal and non-criminal aliens in FY 1997, INS requests a total of 59 positions, 30 workyears, and \$15,518,000. This request will enable INS to expand the Institutional Hearing Program (IHP), the program through which aliens incarcerated in State and Federal facilities are processed for deportation prior to release. This request also provides funds to INS and the Executive Office of Immigration Review (EOIR) to continue the FY 1996 Port Courts initiative (\$4,000,000), and enables INS to enhance its alien transportation system.

The IHP program request totals 49 positions, 25 workyears, and \$8,518,000 and will enable INS to expand to two additional States, Washington and Massachusetts. The request includes: 28 positions, 14 workyears, and \$3,970,000 for the Detention and Deportation program; 16 positions, 8 workyears, and \$1,832,000 for the Investigations program; 4 positions, 2 workyears, and \$326,000 for the Legal Proceedings program; and 1 position, 1 workyear and \$58,000 for Management and Administration program support. An additional \$2,332,000 is requested for the Data and Communications program to establish the necessary telecommunications and videoconferencing infrastructure required for the IHP.

The requested increase of \$4,000,000 will support the continuation of Port Court operations in San Diego, CA. The court operates 5 days a week and hears exclusion cases from the San Ysidro and Otay Mesa ports of entry. As a result of this continued effort, INS expects to formally exclude 10,000 illegal aliens in FY 1997.

With approval of the FY 1997 request of 10 positions, 5 workyears, and \$3,000,000, for enhancements of the Justice Prisoner Alien transportation System (JPATS), INS will be positioned to expand into the second year of its planned procurement schedule to establish an effective ground transportation capability. This system, operated by the United States Marshall Service, began transporting aliens for INS in FY 1996.

Assistance to States and Improving Customer Service

A total of 39 positions, 20 workyears, and \$3,325,000 is requested for the Investigations program to expand the use of the Law Enforcement Support Center (LESC). The LESO currently provides automated INS record checks to law enforcement agencies located in the State of Arizona. This request funds the LESO, which was originally established as a pilot project funded from enhancement fines.

Immigration and Naturalization Service
Violent Crime Reduction Program
Justification of Proposed Changes in Appropriation Language

The 1997 budget estimates include proposed changes in appropriation language listed and explained below. New language is underlined and deleted matter is enclosed in brackets.

Violent Crime Reduction Programs

For activities authorized by sections 13002, 13005, 13006, 13007 and 13008(a) of the Violent Crime Control and Law Enforcement Act of 1994 (Public Law 103-322) as amended, \$59,168,000 to be derived from the Violent Crime Reduction Trust Fund and remains available until expended, of which (1) \$1,215,000 shall be for establishing and operating a Criminal Alien Trust Fund Center, (2) \$55,754,000 shall be for expediting deportation of denied asylum applicants, (3) \$287,457,000 shall be for improving border security, and (4) \$11,262,000 shall be for expediting deportation of noncitizens. Provided, That amounts not awarded for asylum processing provided under the expediting deportation of denied asylum applicants may also be used for other Deportation Program activities.

Note -- A regular 1998 appropriation for this account has not been enacted at the time this budget was prepared. The 1996 amount included in this budget are based on the levels provided in the three continuing resolutions, P.L. 104-91, P.L. 104-92, and P.L. 104-99.

**Immigration and Naturalization Service
Visa/Crime Prevention Programs
Consolidated 1986 Changes
(Dollars in Thousands)**

	1986 President's Budget Request		Reprogramming		Congressional Action on Appropriation		Adjustment in Workyears		1986 Appropriation Anticipated	
	Pos.	NY	Pos.	NY	Pos.	NY	Pos.	NY	Pos.	NY
Activities/Programs										
1. Enforcement										
a. Border Patrol	910	910	877,999	--	(82,233)	--	(80)	810	790	878,799
b. Investigations	76	82	15,517	79	44	(49)	--	116	89	10,101
c. Detention & Deportation	288	164	38,373	--	222	24	(60)	310	118	38,351
Subtotal	1,172	1,046	130,889	79	44	(2,301)	(19)	1,236	948	125,217
2. Citizenship and Benefits										
a. International Affairs & Outreach	399	399	32,343	--	(106)	--	(10,000)	399	291	22,136
3. Immigration Support										
a. Training	--	--	--	37	37	2,187	--	(9)	37	31
b. Data & Communications	8	8	181,441	--	(181)	--	(6,800)	(2)	8	185,400
c. Legal Proceedings	143	118	10,887	--	(28)	--	--	162	72	10,868
Subtotal	147	124	172,398	37	37	1,978	--	(60)	164	196,218
4. Program Decision										
a. Management and Administration	--	--	--	8	8	628	--	--	8	8
Total	1,707	1,566	335,409	122	87	--	(19)	(8)	1,814	1,323

Reprogramming. The reprogramming of resources reflects the permanent effect of the April 13, 1986 and May 28, 1986 reprogramming notifications. In the narrative accompanying the notifications, it was stated that the reprogramming were of a permanent nature and would carry into 1986.

Congressional Appropriation Action on the 1986 Request. The Congress approved 1,814 positions, 1,323 workyears, and \$318,196,000 for this account. This was 15 positions, 8 workyears, and \$19,300,000 below the level requested. Resources were not approved for the Law Enforcement Support Center. The base funding requested for the International Affairs program was reduced by \$10,000,000. Additional resources were provided for the Detention and Deportation program for the removal of criminal aliens and alien denied asylum. The Legal Proceedings program received increased resources to pursue caseload related to the removal of criminal aliens.

Adjustment in Workyears. As a result of the delayed enactment of 1986 appropriations, the capacity levels of the hiring and training systems, and the resulting delays in hiring, some workyears cannot be used in 1986 and 1987. Reprogrammings of funds made available by these

Immigration and Naturalization Service
Vietnam Orphan Reeducation Program
Summary of Expenditures
(Dollars in thousands)

Perm. Post.	Work-years	Amount
1,814	1,887	\$316,190
1,814	1,886	316,190
1,814	1,886	48,011
1,814	1,886	18,089
1,814	1,886	10,812
1,814	1,886	889,885
1,814	1,886	88,888
1,814	1,886	488,190

Adjustments to the base:

1966 Conference allowance	
Acquisition in work-years	
1968 appropriation anticipated	
Transfer from Salaries and Expenses Appropriation for detention and deportation	
Increases (salaries, nonpolicy)	
Annualization and nonrecurring costs of 1968 increases	
1967 Base	
Program Changes (See Program Narrative for Details)	
1967 Request	

	1968 Appropriation			1967 Base			1967 Request			Increase/Decrease		
	Perm. Post.	WY	Amount	Perm. Post.	WY	Amount	Perm. Post.	WY	Amount	Perm. Post.	WY	Amount
Estimates by budget activity:												
1. Enforcement	1,286	948	\$128,217	1,286	1,009	\$148,388	1,286	1,148	\$203,380	96	47	\$21,007
2. Citizenship and Benefits	388	281	22,198	388	281	29,887	388	281	29,887			
3. Immigration Support	184	111	108,416	184	134	174,288	184	137	207,741	6	5	28,518
4. Program Operation	8	8	428	8	8	442	8	8	442			
Total	1,814	1,325	\$16,188	1,814	1,820	\$88,885	1,814	1,881	\$488,190	98	81	\$88,885

Investigation and Information Service
 Federal Bureau of Investigation
 Department of Justice
 Office of the Director

	1955-56 Budget			1956 Actual			1956 Appropriation			1957 Base			1957 Request			1958 Estimate		
	Pos.	NC.	Est.	Pos.	NC.	Est.	Pos.	NC.	Est.	Pos.	NC.	Est.	Pos.	NC.	Est.	Pos.	NC.	Est.
Salaries & Expenses	610	270	640,000	610	340	647,700	610	340	673,700	610	340	677,700	610	340	681,500	610	340	685,000
Travel	110	50	100,000	110	50	100,000	110	50	100,000	110	50	100,000	110	50	100,000	110	50	100,000
Investigation	110	50	100,000	110	50	100,000	110	50	100,000	110	50	100,000	110	50	100,000	110	50	100,000
Communication	110	50	100,000	110	50	100,000	110	50	100,000	110	50	100,000	110	50	100,000	110	50	100,000
Equipment	110	50	100,000	110	50	100,000	110	50	100,000	110	50	100,000	110	50	100,000	110	50	100,000
Supplies	110	50	100,000	110	50	100,000	110	50	100,000	110	50	100,000	110	50	100,000	110	50	100,000
Telephone	110	50	100,000	110	50	100,000	110	50	100,000	110	50	100,000	110	50	100,000	110	50	100,000
Postage	110	50	100,000	110	50	100,000	110	50	100,000	110	50	100,000	110	50	100,000	110	50	100,000
Printing	110	50	100,000	110	50	100,000	110	50	100,000	110	50	100,000	110	50	100,000	110	50	100,000
Contractual Services	110	50	100,000	110	50	100,000	110	50	100,000	110	50	100,000	110	50	100,000	110	50	100,000
Construction	110	50	100,000	110	50	100,000	110	50	100,000	110	50	100,000	110	50	100,000	110	50	100,000
Information System	110	50	100,000	110	50	100,000	110	50	100,000	110	50	100,000	110	50	100,000	110	50	100,000
Investigation Report	110	50	100,000	110	50	100,000	110	50	100,000	110	50	100,000	110	50	100,000	110	50	100,000
Training	110	50	100,000	110	50	100,000	110	50	100,000	110	50	100,000	110	50	100,000	110	50	100,000
Crime Prevention	110	50	100,000	110	50	100,000	110	50	100,000	110	50	100,000	110	50	100,000	110	50	100,000
Legal Proceedings	110	50	100,000	110	50	100,000	110	50	100,000	110	50	100,000	110	50	100,000	110	50	100,000
Public	110	50	100,000	110	50	100,000	110	50	100,000	110	50	100,000	110	50	100,000	110	50	100,000
Program Director	110	50	100,000	110	50	100,000	110	50	100,000	110	50	100,000	110	50	100,000	110	50	100,000
Management and Administration	110	50	100,000	110	50	100,000	110	50	100,000	110	50	100,000	110	50	100,000	110	50	100,000
Total, VOTW	1,000	470	2,000,000	1,000	500	2,000,000	1,000	500	2,000,000	1,000	500	2,000,000	1,000	500	2,000,000	1,000	500	2,000,000
Total Employees	670	300	1,300,000	670	300	1,300,000	670	300	1,300,000	670	300	1,300,000	670	300	1,300,000	670	300	1,300,000
Other employees	60	30	100,000	60	30	100,000	60	30	100,000	60	30	100,000	60	30	100,000	60	30	100,000
Contract	60	30	100,000	60	30	100,000	60	30	100,000	60	30	100,000	60	30	100,000	60	30	100,000
Total comparable employees	1,000	470	2,000,000	1,000	500	2,000,000	1,000	500	2,000,000	1,000	500	2,000,000	1,000	500	2,000,000	1,000	500	2,000,000

Immigration and Naturalization Service
Violent Crime Reduction Programs
Program Performance Information
(Dollars in Thousands)

ACTIVITY: ENFORCEMENT

	Perm. Pos.	FTE	Amount
Border Patrol			
1996 Appropriation Anticipated	810	760	\$75,763
1997 Base	810	760	77,736
1997 Request	810	760	81,164
Increase/Decrease	...	...	3,428

BASE PROGRAM DESCRIPTION: The function of this program is to deter or prevent illegal entry or locate and apprehend aliens and other illegal entrants at or near the border. In addition, the Border Patrol has primary responsibility for drug interdiction between the ports-of-entry. Border Patrol officers engaged in surveillance activities to prevent entry or apprehend those who have illegally crossed the borders are supported by computer-monitored electronic ground sensors which alert them to illegal entries. Additional support is provided by observation aircraft, low light level television systems and infrared viewing devices. Patrol officers use a wide assortment of vehicles adapted to local terrain and operational requirements, including motorcycle, all-terrain vehicles, boats and horses. In addition, line-watch traffic check operations are conducted along major routes of travel to restrict access to the interior by illegal aliens. Transportation centers are placed under surveillance for the same reason. The Patrol conducts numerous interagency drug task force operations with other Federal, State and local law enforcement agencies through its participation in Operation Alliance along the southern border. To further assist the Border Patrol in this endeavor, all Border Patrol agents receive Drug Enforcement Administration Title 21 cross-designated authority in their basic training in Glynnco, Georgia.

ACTIVITY: ENFORCEMENT

Investigations	Perm. Pos.	FTE	Amount
1996 Appropriation Anticipated	116	69	\$10,101
1997 Base	116	69	10,407
1997 Request	171	97	16,290
Increase/Decrease	55	28	5,883

BASE PROGRAM DESCRIPTION: The functions of this program include the detection of criminal law violations and the identification of violators through covert operations and other investigative procedures, and initiate criminal prosecution or administrative action. Many of the cases investigated involve violators associated with large-scale, highly organized criminal conspiracies. Quite often, these criminal alien organizations are simultaneously engaged in other illegal activities such as racketeering, alien smuggling, counterfeiting, prostitution, official corruption, narcotics, weapons trafficking and extortion on an international scale. Special Agents identify these organizations through interviews, the use of informants, surreptitious surveillance, as well as undercover and task force operations. Investigative task force operations concentrate the resources of a local office, or combine the resources of several offices, to identify the members and activities of a criminal organization.

IRCA and other statutes mandate expeditious identification and processing of aliens convicted of deportable offenses. During FY 1992, the Department of Justice (DOJ) conducted a survey of Federal and State correctional systems and submitted a report of its findings to the Senate and House Judiciary Committees. The survey reflected that over 57,000 foreign-born nationals (FBN) were currently incarcerated (based on felony convictions) in the nation's Federal and State penitentiary systems. Currently INS is unable to accurately determine the total number of prison inmates in the United States who are "criminal aliens" as required by §10 of the Immigration and Nationality Act of 1990 (IMMACT '90). However, the INS continues to determine the number of FBNs as §507 of IMMACT '90 is further implemented. It is anticipated that as these and other laws are more fully implemented and the Institutional Hearing Program (IHP) in Federal, State and local prisons is fully operational, the INS will be better able to accurately determine the number of deportable aliens in the prison systems of this country, process them for deportation proceedings and, upon receipt of a final order of deportation and completion of their sentences, remove them from this country.

¹ Section 507 of the Immigration Act of 1990 requires the DOJ states (and Guam, the U.S. Virgin Islands, Puerto Rico and the District of Columbia) to submit plans for furnishing to INS data concerning FBNs convicted of certain crimes within their states (e.g., petty narcotics violations, criminal offenses, etc.) and submit them to INS for processing. INS is currently working with the DOJ states to obtain, more expeditiously and systematically, information required under the law. As the law is being implemented, INS staff are able to obtain, more expeditiously and systematically, information required under the law. Therefore, the incarcerated criminal aliens will be able to begin the IHP more efficiently. The availability of records of conviction expeditious processing of aliens for deportation, and greatly facilitates the administrative hearing process.

The Investigations program is working in close coordination with the Executive Office of Immigration Review (EOIR) to improve and expand (where necessary) the IHP, so that incarcerated alien felons can be identified and processed for deportation proceedings and complete the entire deportation hearing process during the period of their incarceration. Upon the completion of the inmate's sentence, the alien can then be immediately removed from the United States without coming into INS custody, without the attendant delay for continued administrative (deportation) hearings and, most importantly, without being detained at further government expense.

In 1992, the Service began targeting violent criminal alien gangs in 36 U.S. cities. This effort focuses on violent criminal alien gangs in designated cities where INS special agents, frequently in coordination with other law enforcement officials, seek to identify, apprehend, convict and remove from the United States alien members of these criminal groups and ultimately dismantle their organizations. The Investigations program will continue its commitment to the Organized Crime Drug Enforcement Task Force (OCDETF) and the Violent Gang Task Force (VOTF) and work in coordination with other Federal, State, and local law enforcement agencies to place serious criminal offenders who are aliens into deportation proceedings, and where applicable, remove them from the United States. In addition, this program is responsible for the management of the Service's assets forfeiture activities.

The principal goal of the Fraud program is to discourage illegal immigration through fraud and to protect the integrity of benefits and documents legitimately provided to authorized aliens by INS. In an effort to accomplish this goal, INS is aggressively targeting complex criminal organizations involved in immigration fraud for criminal prosecution. One investigation recently completed by INS resulted in the dismantling of one of the largest counterfeit document manufacturing and distribution organizations in INS history. As a result of this investigation, the INS seized 250,000 fraudulent documents valued at over \$7 million, two printing presses, counterfeit currency, and handguns. With regard to alien smuggling, the growing problem of Chinese alien smuggling by sea is of particular concern. In FY 1993, six boats were seized in United States territorial waters with Chinese seeking asylum. The boat smuggling investigations are complex, expensive, and international in scope. One recent smuggling vessel carried more than 500 illegal aliens. Boat smuggling investigations involve interpreter costs, domestic and international travel, specialized equipment needs, large numbers of smuggling suspects, and high witness and prosecution costs. There were also ten boats intercepted before reaching U.S. waters. This has changed the dynamics of the Chinese smuggling. The smuggling continues but the interception is occurring primarily outside the U.S. Instead of boats with large numbers of people, the matriculation appears to be in smaller numbers and a variety of illegal entry methods. This is expected to increase the number of smuggling attempts and therefore, smuggling investigations in the near future.

ACTIVITY: ENFORCEMENT

	Perm. Pos.	FTE	Amount
Detention and Deportation			
1996 Appropriation Anticipated	310	116	\$39,351
1997 Base	310	270	97,210
1997 Request	348	282	108,906
Increase/Decrease	38	19	11,696

BASE PROGRAM DESCRIPTION: The Detention and Deportation program is a critical element in the structure of the Service. Its functions are the detention, exclusion, expulsion, removal, parole and deportation of aliens. Service and non-Service (contract) facilities are used to detain, until ready for removal, those aliens subject to deportation or exclusion proceedings who are likely to abscond or whose freedom at large would clearly represent a danger to public safety and security. In the performance of the deportation function, the Service maintains a system of controls that ensures that every case involving a deportable alien is efficiently and correctly processed and, if necessary, the alien's removal from the country is effected promptly. In Fiscal Year 1997, a total of \$48,011,000 will be transferred from the Detention and Deportation program of the Salaries and Expenses appropriation to the Detention and Deportation program of the VCRP for alien travel, detention and welfare costs associated with increased activities related to the Institutional Hearing Program (IHP).

The D&D program promptly removes deportable and excludable aliens and avoids detention to the greatest extent possible. The D&D program tracks the cases through the Institutional Hearing Program (IHP); updates the necessary data bases; provides case status updates to inmates and their attorneys; obtains required travel documents; makes the necessary travel arrangements, including notification to foreign governments; executes the warrants of deportation; and physically removes criminal aliens from the country (including providing overseas escorts when necessary to protect the travelling public or to ensure the criminal's arrival at the intended destination).

ACTIVITY: CITIZENSHIP & BENEFITS

	Perm. Pos.	FTE	Amount
International Affairs			
1996 Appropriation Anticipated	388	261	\$22,136
1997 Base	388	261	29,567
1997 Request	388	261	29,567
Increase/Decrease	...	...	...

BASE PROGRAM DESCRIPTION: The Refugee Act of 1980 created a statutory basis for asylum in the United States and made withholding of deportation of those who qualify mandatory rather than discretionary. While Congress, in passing the Act, established a statutory definition of "refugee", it did not legislate a specific method by which claims for asylum or withholding of deportation were to be adjudicated. Instead, the Congress directed that the Attorney General establish the necessary procedures for such adjudication. Interim regulations published in June 1980 remained in effect until superseded by new asylum regulations published as a final rule and effective October 1, 1990.

In 1993, the Department of Justice (DOJ) completed a study of the asylum system and convened a working group comprised of staff from several INS and DOJ divisions, the Executive Office for Immigration Review (EOIR), and members of non-governmental organizations to discuss reform of the asylum processing system. Streamlining procedures to increase productivity and the elimination of frivolous or abusive claims were two primary goals of the reform process. The working group identified several major changes which were then implemented by making procedural and policy revisions and regulatory revisions. A final rule which contains all of the asylum reform changes was published in November 1994 and became effective in December 1994. The revised procedures streamline the process so that asylum applicants who are interviewed receive final decisions on their claims within 180 days of the filing of their applications.

The Resource Information Center (RIC) is a major component of the Asylum Program. Its mission is to provide asylum officers and refugee adjudicators with credible perspectives on human rights conditions in refugee-producing countries. Several information products (both electronic and printed) are developed each year. Research covers the top twenty refugee-producing countries of interest to the U.S. Progress has been made in updating the electronic databases which provide rapid access to thousands of pages of information. Information is disseminated to asylum officers, refugee adjudicators and other immigration officers for use in decision making.

ACTIVITY: IMMIGRATION SUPPORT

	Perm. Pos.	FTE	Amount
Training			
1996 Appropriation Anticipated	37	31	\$2,167
1997 Base	37	31	2,221
1997 Request	37	31	2,221
Increase/Decrease	--	--	--

BASE PROGRAM DESCRIPTION:

- The Training program provides the staff and the resources necessary to maintain an employee development program that meets the diverse training needs of the INS workforce. Training requirements are identified annually and are revised, as needed, due to new regulations, legislation, or organizational needs. The program is accomplished in a variety of ways: through residential training at the Federal Law Enforcement Training Center (FLETC) at Glynco, Georgia (basic officer training) and at Artesia, New Mexico (journeyman officer training); through programs conducted by other Federal agencies; by private contractors; or in combined presentations using INS and non-INS resources.
- INS is currently in the process of activating a satellite training facility at Charleston Naval Base, South Carolina. By Congressional direction, this facility will be utilized primarily for Border Patrol Agent basic training. Pending completion of areas dedicated to training unique to the Border Patrol, the facility will be used as an interim training facility for portions of the Immigration Officer basic training course. The first Immigration Officer class will report in mid-March 1996. The first Border Patrol class is scheduled to begin in August 1996. Because of the late enactment of full-year funding for INS, a variety of extraordinary measures have been instituted in scheduling, staffing, and budget allocation, in order to accommodate the maximum number of students possible (with absolute priority being accorded to the student Border Patrol agents).
- By the end of FY 1996, the Charleston facility will be used exclusively for Border Patrol training. Up to five Border Patrol classes will be conducted at the Federal Law Enforcement Training Center (FLETC) at Glynco, Georgia. All other INS officer training, both basic and journeyman, will be conducted at one of the FLETC facilities at Glynco, Georgia or Artesia, New Mexico, or will be provided via exportable modules at students' duty stations.

- The Training program ensures basic training for all new officers and advanced and technical training for Journeyman officers, and periodically updates curricula for the basic and advanced training programs.
- The Training program provides mandatory training for INS supervisors, managers, management officials and executives, and provides progressive technical and specialized training for professional, technical, and clerical personnel who support agency operations.

ACTIVITY: IMMIGRATION SUPPORT

	Perm. Pos.	FTE	Amount
Data and Communications			
1996 Appropriation Anticipated	5	3	\$155,400
1997 Base	5	3	159,625
1997 Request	6	4	192,817
Increase/Decrease	1	1	33,192

BASE PROGRAM DESCRIPTION: The Data and Communications Program provides direct support for operational programs as well as administrative support functions of the Service. There are seven major technology programs (initiatives) included under the Data and Communications Program plus the functions collectively known as Information Resources Management (IRM) Operations. The seven program areas, each of which consist of one or more projects in addition to the normal operations and maintenance required for existing systems and technologies, are: 1) Infrastructure 2) Examination Systems, 3) Inspection Systems, 4) Enforcement Systems, 5) Biometric Identification Systems, 6) Corporate Information Systems, and 7) Management Systems (financial and administrative). IRM Operations includes the functions necessary to support the activities of the Data and Communications Program. Through development and implementation of these initiatives, the Service will improve the effectiveness and efficiency of Service functions through use of automation, provide for the operation of data and communications networks, and provide radio communications, telephone call handling, intrusion detection sensors, and electronic security equipment and systems. INS automation efforts are designed to directly support efforts to control the borders of the United States, reduce incentives for unauthorized employment and benefits, and remove criminal and non-criminal aliens. In FY 1997, INS will continue to place an emphasis and priority on its role as a repository of the Nation's records on immigrants, visitors, and illegal entrants as well as on meeting the customer needs for enhanced technology services and information. A brief description of each of the seven major automation programs follows.

Infrastructure

The infrastructure program will provide a standard office automation platform for all INS sites to support interoperability. The standard office automation platform was designed to provide the INS workforce with the basic office automation capabilities to effectively and efficiently communicate initiatives, share data, and produce professional products that support customer requirements. By the end of FY 1996, infrastructure will be installed and/or initiated at 235 sites (36% of INS sites). In FY 1997, INS expects to install this standard infrastructure at an additional 376 sites (the remaining 59% of INS sites). Additionally, the Service will continue its migration to router and other communications technologies as the new infrastructure is deployed.

Examination Systems

The Examination systems incorporate all individual case-work-oriented subsystems that support the processing of applications and petitions for Immigration benefits and associated processes such as the production of immigration documents. These include employment authorization, asylum, resident alien processing, and citizenship through the Naturalization process.

The Consolidated Linked Application Information Management System (CLAIMS) is a case-work system used by the Service to receipt applications, deposit fees, and capture data through conventional data entry, 2D bar code scanning, or optical character recognition (OCR). The application is then forwarded for adjudication and the candidate is scheduled for an interview, if applicable.

In FY 1997, INS will re-engineer the CLAIMS case-work processing system. INS will expand the development effort started in FY 1996 to re-engineer the Naturalization function to include additional forms and benefits. The re-engineered system will support 2D bar code scanning, use of debit and credit cards for applications fees, deployment of electronic filing, electronic submission of forms to external agencies, scanning of biometrics such as photograph and fingerprint, immediate check against the INS IDENT lookout data base, electronic access to the A-file and the development of secure, state-of-the-art, fraud resistant documents. Additionally in FY 1997, the Immigration Card Facility (ICF) will be integrated in CLAIMS resulting in streamlined production of Border Crossing Cards as well as the processing of VISA applications.

Inspection Systems

The Inspections System program supports efforts to control admissions at ports-of-entry and enhance the INS inspection function. Two major automation efforts included under this program are the Interagency Border Inspection System (IBIS) and the INS Passenger Accelerated Services System (INSPASS) and the Dedicated Commuter Lane (DCL). IBIS, a system operated jointly with the U.S. Customs Service and Departments of State and Agriculture, is used at ports-of-entry to facilitate inspection and to identify criminals. IBIS is currently installed at major air and land border ports-of-entry. INSPASS is an automated inspection system for low-risk, frequent travelers using automated inspection kiosks. This system is currently installed at several of the nation's major international airports. DCL allows border crossers already inspected by INS to use automated verification instead of manual inspection.

This program will develop and deploy machine readable travel documents which will allow for positive identification of air travelers destined for the United States. A combination of technology and advanced production techniques will produce entry documents that are fraud resistant and easy to use. Profile scanning and a sophisticated worldwide law enforcement network will quickly and accurately identify persons of interest. Smart card technology with positive identification features will facilitate the quick and accurate inspection of low-risk, frequent land travelers. Technology will allow for improved service to the public while increasing the number of inspection hours devoted to high-risk activities.

Enforcement Systems

The Enforcement Systems program includes the Enforcement Case Tracking System (ENFORCE) and electronics support for border control. ENFORCE is an automated case tracking system designed to provide on-line incident-based case processing capabilities, intelligence analysis, detention and deportation processing, statistical management, and enforcement reporting. This system provides automated tools to capture and manipulate data and images, reduces paperwork processing time for administrative cases, and results in increased numbers of agent hours spent performing front-line enforcement activities. In FY 1996, INS will finalize development of ENFORCE including numerous interfaces to inter-INS and external databases and will continue to install ENFORCE in field offices. During FY 1997, INS will deploy ENFORCE Phase II to approximately 100 sites.

Under this program, INS also seeks to automate and integrate current manual monitoring capabilities, allowing agents real-time access to alert information, and enhancing agent safety while on patrol. INS has three major automation projects with respect to electronics support for border control. These projects include the Encrypted Voice Radio Program (EVRP), the Computer Assisted Detection and Reporting Enhancement/Intelligent Computer Assisted Detection Program (CADRE/ICAD), and the sensor program supported by the night vision equipment program. For FY 1997, INS intends to continue implementation of EVRP in an additional 18 sites. INS will also continue sustaining engineering of the CADRE/ICAD system and complete additional deployments. Additionally, continued deployment of night vision equipment (LLTV - low light television) will also be managed as required by the Border Patrol.

Biometric Identification Systems

INS is developing a single fingerprint-based identification system that will enable the Service to rapidly and accurately identify persons of interest. IDENT is the current INS fingerprint-based identification subsystem that will be used by Service law enforcement and benefit systems to assist in the positive identification of persons who are arrested as well as those who apply for benefits, including the identification of travelers referred to secondary inspection processing and for automated inspection. During FY 1996, the INS began deployment of IDENT across the Southwest border. In FY 1997, INS expects to pursue implementation of this technology to expand the IDENT records storage, fingerprint matching capacity, and trends analysis for the existing installed sites along the Southwest Border as well as additional interior enforcement sites. Implementation of benefit and asylum identification will be underway.

Corporate Information Systems

This program seeks to integrate and consolidate, where appropriate, INS information and enhance records management capabilities while supporting a secure, open system environment. In FY 1997, the INS will continue efforts to re-engineer INS data repository systems to streamline access to alien information. This program will ensure that data collected is correct and will follow the same naming and attribute standards across all agency systems requiring use of the data. In FY 1997, the INS will also develop and deploy a Common User Interface that provides a front-end to existing INS systems as a means to ensure data collection integrity and to streamline access to alien information. INS will also build imaging capability to provide electronic access to INS paper file information and for use in specific programs such as FOIL/PA. New and enhanced statistical capabilities and name search methodology will improve our corporate decision functionality.

Also under this program, the Verification Information system (VIS) will support the confirmation of an alien's immigration status, eligibility for certain entitlement benefits, and authorization to work. In FY 1996, INS plans to expand employer participation in the pilot verification program for employment eligibility from 238 employers to 1,000 employers. In FY 1997, the Service anticipates continued implementation of systems which strengthen Service efforts in the area of worksite enforcement.

Management Systems

The Management Systems program includes the development, implementation, and maintenance of financial and administrative applications providing decision support information on INS workload, manpower, and financial resources. During FY 1996, INS continued development of plans to implement a cross-servicing agreement for a new financial management system with the U.S. Geological Survey. During FY 1997, the Service plans to implement the core financial and administrative system.

Information Resource Management Operations

IRM Operations consists of the planning, policy development, acquisition management, computer security, field and program support, and management activities required to support the varied technology requirements of the Service.

ACTIVITY: IMMIGRATION SUPPORT

	Perm. Pos.	FTE	Amount
Legal Proceedings			
1996 Appropriation Anticipated	142	77	\$10,849
1997 Base	142	100	12,377
1997 Request	146	102	12,703
Increase/Decrease	4	2	326

BASE PROGRAM DESCRIPTION: INS attorneys represent the Service before Immigration Judges, the Board of Immigration Appeals, the Merit Systems Protection Board, the Equal Employment Opportunity Commission, and boards of contract appeals. The Legal Proceedings program provides litigation support in agency litigation conducted in U.S. District Courts, Courts of Appeals, and the Supreme Court. Attorneys provide advice to the Commissioner, Regional Administrators, District Directors, and Border Patrol Sector Chiefs on legal matters arising at all levels of agency operations. The attorneys also assist interagency task forces in developing cases and removal strategies for criminal aliens.

ACTIVITY: PROGRAM DIRECTION

	Perm. Pos.	FTE	Amount
Management and Administration			
1996 Appropriation Anticipated	6	6	\$429
1997 Base	6	6	442
1997 Request	7	7	14,500
Increase/Decrease	1	1	14,058

BASE PROGRAM DESCRIPTION:

- The Management and Administration program provides management direction and support for the implementation and operation of regional and field activities and functions to those managers and supervisors who are responsible for and exercise authority over multiple programs;
- Executes the provisions of the INA and related policies through the development and implementation of immigration programs and the management of resources;
- Provides for the development, implementation, direction, operation and evaluation of administrative support systems and services that meet internal operational and managerial needs and externally mandated requirements;
- Provides executive direction and control of INS; and
- Furnishes accurate and prompt responses to Congressional and public inquiries; administers and maintains effective budgeting and financial management systems, performs audits, conducts internal investigations, provides informational responses to inquiries from GAO, OIG, OMB and Departmental offices, develops and evaluates policies and systems to improve the effectiveness of the INS programs.

**Restore Infrastructure
Violent Crime Reduction Program**

Restore Infrastructure:

	Positions	Workyears	Amount (\$000a)
Border Patr ¹	...	...	\$3,428
Investigations	...	...	726
Detention and Deportation	...	...	726
Data and Communications	1	1	14,070
Management and Administration	...	...	14,000
Total	1	1	\$32,950

Proposed Actions

The Restore Infrastructure initiative requests 1 position, 1 workyear and \$32,950,000 to address INS' need to replace obsolete equipment and purchase replacement vehicles. The items included in this initiative are as follows:

Replace Obsolete Equipment (\$4,880,000)

	Positions	Workyears	Amount (\$000a)
Border Patrol	\$3,428

The INS requires \$2,180,000 for replacement of shotguns, M-16's and body armor by the end of FY 1997. This request includes \$728,000 for the Border Patrol program. Many of these weapons are aging (the M-16's at certain locations have been in service since 1988) and require replacement for safety and officer security. Body armor vests have reached the end of their useful lives and need replacement.

Shotgun	\$ 300,000 -	750	Shotguns will be replaced
M-16	1,085,000 -	1,550	M-16s will be replaced
Body Armor	795,000 -	1,136	Body armor vests will be replaced
Total:	\$ 2,180,000		

Helicopter Replacements (\$2,700,000) --

An increase of \$2,700,000 for the Border Patrol program will purchase three MD500R equivalent style helicopters to support the implementation of strategic border deterrence plans and to replace aging Vietnam vintage aircraft. A long term acquisition plan for new aircraft must be put into place beginning in FY 1997 in order to maximize the usefulness of the aging military excess helicopters (OH-6A's) which have been turned-over to the Border Patrol. Retrofitting old helicopters is as costly as buying new helicopters. INS' current aircraft have thirty year old airframes are subject to fatigue and corrosion. In addition, the component parts; engines, transmissions, rotor hubs and blades, etc. of this model of aircraft are quickly becoming obsolete in both the military and the commercial markets.

The Border Patrol has no base funding for helicopter replacements. The OH-6A helicopters currently in the fleet were excess and sent to the INS from the military at no cost; as such, base funds were never established. With resources obtained in FY 1995, the Border Patrol will purchase one helicopter. In past years, the DOJ Asset Forfeiture Fund (AFF) was used to retrofit the old military helicopters to make them usable by the Border Patrol. However, AFF recently denied funds for this purpose after approving the start of a (10) helicopter retrofit program in 1994. Those 10 helicopters were never completed due to the lack of funds in 1995.

The Border Patrol currently has 33 operational helicopters out of a total fleet of 57. The remaining 24 helicopters are in various stages of repair, overhaul or are damaged. It is proposed that the \$2,700,000 remain in the base to allow the patrol to replace three helicopters each year for the next five years.

Positions	Workyears	Amount (\$000's)
...	...	726

Investigations

The Investigations program requires \$726,000 for replacement of shotguns, M-16's and body armor by the end of FY 1997. Many of these weapons are aging (the M-16's at certain locations have been in service since 1988) and require replacement for safety and officer security. Body armor vests have reached the end of their useful lives and need replacement. A breakout of the obsolete equipment is described in the Border Patrol program's narrative justification.

Positions	Workyears	Amount (\$000's)
...	...	726

Detention and Deportation

The Detention and Deportation program requires \$726,000 for replacement of shotguns, M-16's and body armor by the end of FY 1997. Many of these weapons are aging (the M-16's at certain locations have been in service since 1988) and require replacement for safety and officer security. Body armor vests have reached the end of their useful lives and need replacement. A breakout of the obsolete equipment is described in the Border Patrol program's narrative.

Positions	Workyear	Amount (\$000's)
1	1	\$14,070

Data and Communications

(1 position, 1 workyear and \$14,070,000) - -

Radio Support (1 position, 1 workyear and \$14,070,000):

INS requests 1 position, 1 workyear and \$14,070,000 to cover costs incurred as a result of the vacating of radio spectrum transferred to the private sector. This initiative will have an impact on all DOJ agencies' ability to communicate with INS investigative personnel. Increased effort will be directed toward establishing a standardized INS-wide wireless digital infrastructure for (voice and data) communications. The existing radio system is inadequate to serve the operational radio communication requirements today. The current rate of conversion is too slow and will never allow INS to attain standard, current technology in offices with this technology. National implementation will be phased in by geographical areas, with support encompassing all functional operations; (e.g., Border Patrol, Investigation, Inspections, Detention and Deportation) in an installed area, as well as providing interoperability with other law enforcement agencies. Funding will provide for an approximate five-year nationwide implementation schedule, providing for upgrades to state-of-the-art equipment. With these technology upgrades, INS will enhance wireless communications to meet operational requirements in every office.

	Position	Workyear	Amount (\$000A)
Management and Administration	\$14,000
Fleet Management (\$14,000,000)	..		

An increase of \$14,000,000 will move INS to a 5-year/60,000 mile replacement cycle for passenger vehicles and trucks including retrofitting equipment; and closer to a 7 and 9 year schedule for school and interurban buses, respectively. Together with the \$6,500,000 currently provided as our annual fleet replacement and retrofit budget, and approximately \$1,100,000 of fleet disposal sales proceeds, INS' annual vehicle replacement and retrofit budget of \$21,600,000 will purchase approximately 798 passenger vehicles and trucks, and 5 school and interurban buses. The two-part nature of INS' replacement standard (requiring age and mileage to be met) as opposed to the Federal Property Management Regulations (FPMR) replacement standard which only requires that age or mileage be met, reduces the number of vehicles INS qualified to be replaced annually. Of the 7,411 passenger vehicles and trucks in the fleet, 3,575 or 48 percent have an odometer reading of over 60,000 miles.

This initiative will result in a better quality fleet, lower operation and maintenance costs, less fleet down time, and significant increases in fleet disposal sales proceeds in the future allowing for further improvements in the fleet. Vehicle Authorization Documents (VAD) reflecting operational field manager input and Headquarters program review identify fleet size and composition requirements by location. VADs are used to determine vehicle buys.

**Border Facilitation & Control Initiative
Violent Crime Reduction Program**

	Positions	Workyears	Amount _(\$000's)
Inspections	--	--	\$ 125
Data and Communications	--	--	16,665
Total:	--	--	\$ 16,790

Proposed Actions

This proposal requests a total of \$16,790,000 for several initiatives, including continued funding for management initiatives designed to facilitate lawful commerce and entry into the United States. Of the requested amount, \$16,665,000 will be directed to procurement of new and replacement equipment for electronic and automated systems that support the Southwest Border Initiative to improve and enhance border controls.

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	Positions	Workyears	Amount _(\$000's)
Inspections	--	--	\$ 125

Continue implementation of management initiatives (\$125,000) --

Funds are requested to oversee, coordinate, and evaluate continued implementation of management initiatives including INS/Customs cooperation efforts, elements of the FY 1995 U.S./Canadian Accord, and various National Performance Review re-engineering plans.

Positions	Workyears	Amount --(\$000s)
--	--	\$ 16,665

Data and Communications

ADP hardware (\$16,665,000)--

INS needs the requested ADP equipment to support the Border Patrol enhancements under the Southwest Border Initiative and to replace current systems that have become old, obsolete and/or inoperable. Currently, the Border Patrol cannot adequately monitor nighttime movement along the Southwest border. Additional infrared scopes and Low Light Level Television (LLLTV) systems will help correct this situation. The new sensors will also assist in maintaining border integrity with their improved range, detection capabilities, durability and mobility. Additional resources will fund the development of port facilitation project along the Northern border to facilitate POB inspections. The equipment requested is as follows:

ADP HARDWARE	PROJECTED COST
75 Vee-Mounted Infrared Scopes	\$ 3,052,000
6 Low Light Level Television Systems	6,000,000
3000 Sensors	3,000,000
5 Monitor Console Alarms	250,000
4 Slow Scan Systems	600,000
Contract Support & Maintenance	2,353,000
Port facilitation	1,380,000
TOTAL	\$ 16,665,000

**Remove Criminal & Non-Criminal Deportable Aliens
Violent Crime Reduction Program**

	Positions	Workyears	Amount (\$000's)
Investigations	16	8	\$ 1,832
Detention & Deportation	38	19	10,970
Data & Communications	0	0	2,332
Legal Proceedings	4	2	326
Management & Administration	1	1	58
Total:	59	30	\$15,518

Proposed Actions:

INS is requesting 59 positions, 30 workyears, and \$15,518,000 from the Violent Crime Reduction Trust Fund in FY 1997 to continue its efforts to increase the removal of criminal and other deportable aliens. To achieve this goal, increases are being requested for the Institutional Hearing Program (IHP); the Alien Transportation System (ATS); and the San Diego Port Court. The initiative adds the following enforcement personnel: 4 Special Agents; 10 Immigration Agents; 20 Detention Enforcement Officers; and 12 Deportation Officers.

	Positions	Workyears	Amount (\$000's)
Investigations	16	8	\$ 1,832

Expand the Institutional Hearing Program (16 positions, 8 workyears, and \$1,832,000):

This increase is requested to support the expansion of the IHP and provide for expeditious identification and removal of criminal aliens. Previously requested resources expanded the IHP to expedite the removal of criminal aliens incarcerated in state correctional institutions in the seven states with the largest foreign born prison population (CA, FL, IL, NY, TX, NJ, and AZ) and the Federal Bureau of Prisons system by 1996. During FY 1995, more than 37,000 incarcerated foreign born individuals were interviewed with more than 28,000 determined to be deportable. A total of 9,550 criminal aliens, having completed their sentences, were released to INS and deported. During FY 1996, the number of aliens interviewed is expected to increase to more than 50,000, 38,000 of which are expected to be deportable. In FY 1996, an estimated 13,400 removals are anticipated.

The resources requested in this package will further expand the IHP to include the next two states most affected by illegal immigration, Massachusetts and Washington. INS estimates the annual intake of foreign born prisoners into Massachusetts' and Washington's State correctional facilities to be approximately 2,100 and 1,340, respectively. When fully deployed, the resources requested in FY 1997 will enable an additional 3,000 interviews and 1,000 removals.

	Positions	Workyears	Amount --(000s)--
Detention & Deportation	38	19	\$ 10,970

The FY 1997 budget request includes an increase of 38 positions, 19 workyears, and \$10,970,000 for the Detention and Deportation Program. The increases will fund the following initiatives:

Expand the Institutional Hearing Program (28 positions, 14 workyears, \$3,970,000)--

Resources requested for this initiative will provide for additional detention enforcement officers and deportation officers, ATD&W costs, and also will fund additional vans for transporting aliens. The resources requested in this package will further expand the IHP to include the states of Massachusetts and Washington, which INS estimates have foreign born prisoner populations of 2,100 and 1,340, respectively, in their correctional facilities.

Enhance the Alien Transportation System (10 positions, 5 workyears, and \$3,000,000)--

INS is requesting increases of 10 positions, 5 workyears, and \$3,000,000 to enhance its Alien Transportation System (ATS). FY 1996 resources provided for the establishment of a national detention and removal plan to coordinate detention, transportation and removals of deportable aliens. In FY 1996, the Justice Prisoner and Alien Transportation System (JPATS) operated by the United States Marshals Service began transporting illegal aliens for INS. The FY 1996 budget submission was the first phase of a two-year planned procurement schedule to establish an effective ground transportation capability built around the JPATS hub system. This JPATS initiative will complete the acquisition of ground transportation equipment (i.e., 8 buses and 29 vans) needed to accommodate increased removal efforts in FY 1997. As part of the JPATS initiative, INS will increase the transport and escort staff at five major international airports (Los Angeles, Miami, Houston, New York, and San Francisco) to detain and rapidly remove exclusion cases (\$993,000, 10 positions, and 5 workyears).

Port Court (\$4,000,000)--

This initiative will allow INS to continue Port Court operations in San Diego, CA. The San Diego Port Court has been in operation since FY 1993 and currently is the only fully operational port court in the country. The court operates five days a week and hears

exclusion cases from the San Ysidro and Otay Mesa ports-of-entry. The cases deal primarily with fraudulent attempts at entry (counterfeit documents, impostors, false claims to U.S. citizenship, etc.) Most of the aliens processed for exclusion are detained for the duration of their hearings. Funding requested in FY 1997 will support the continuation of the San Diego Port Court. As a result of this effort, INS expects to formally exclude 10,000 illegal aliens in FY 1997.

Prior to the establishment of Port Court, aliens attempting fraudulent entry at the ports-of-entry were simply turned back into Mexico without any sanction or formal order of exclusion. Many remained on the Mexican side of the border, repeatedly attempting to enter until finally successful. The advent of Port Court now provides for short-term detention of these aliens as they go through formal exclusion hearings. Should the aliens attempt re-entry following formal exclusion and are apprehended, the process allows for the criminal prosecution for unlawful re-entry based on the initial order of exclusion.

	Positions	Workyears	Amount _(000's)
Data and Communications	\$ 2,332

Expand the Institutional Hearing Program (\$2,332,000)--

INS is requesting additional resources in the Data and Communications program to further strengthen and consolidate the IHP through the use of technology. INS plans to establish eight telephonic master calendar hearing sites and install two additional video teleconferencing sites. These efforts will reduce alien travel expenses and travel time for INS personnel and Immigration Judges, and will facilitate the timely processing of criminal aliens. To further consolidate and streamline the IHP, INS will establish from existing base resources, the capability to share databases with the Bureau of Prisons, United States Marshals Service, and the Executive Office for Immigration Review.

	Positions	Workyears	Amount _(5000's)
Legal Proceedings Program	4	2	\$ 326

Expand the Institutional Hearing Program (4 positions, 2 workyears, and \$326,000)--

INS is requesting additional resources for the Legal Proceedings Program in connection with the IHP expansion. The additional personnel are needed to Review Orders to Show Cause for legal sufficiency, and appear in hearings before Immigration Judges.

	Positions	Workyears	Amount \$(000s)
Management and Administration	1	1	\$ 58
<u>Expand the Institutional Hearing Program (1 positions, 1 workyear, and \$58,000)--</u>			

The request provides the corresponding administrative support related to the IHP expansion. The additional resources will support the hiring, training, facilities, logistical and other requirements for the additional personnel resources being requested in the other program areas.

**Assistance to States and Improving Customer Service
Violent Crime Reduction Program**

	Positions	Workyears	Amount (\$000s)
Investigations	39	20	\$ 3,325

Expansion of the Law Enforcement Support Center (99 positions, 20 workyears, \$3,325,000) --

The Law Enforcement Support Center (LESC) began operating as a pilot project in July 1994, in Burlington, Vermont by providing automated INS record checks to law enforcement agencies located in the State of Arizona. The LESG operates on a 24 hour a day, 7 day a week basis, and uses NLETS to exchange INS alien information with the agencies using it. The LESG pilot started with the City of Phoenix and Maricopa County and was expanded to the entire State of Arizona in June 1995.

The LESG provides a useful service to State and local law enforcement agencies. An assessment by the Bureau of Justice Assistance in March 1995 concluded that the LESG pilot was viable and capable of meeting the Congressional mandate to provide information on aliens suspected of aggravated felonies to law enforcement agencies on a 24 hour basis.

The requested FY 1997 enhancement will provide 39 positions for the Investigations program to expand the LESG to additional states. These positions consist of 4 Special Agents, 30 Status Verifiers, an ADP Specialist, an Administrative Officer, a Records Technician, and a Secretary. The request also includes \$1,00,000 for equipment and supplies necessary for expansion.

Immigration and Naturalization Service
Violent Crime Reduction Trust Fund
Financial Analysis - Program Changes
(Dollars in thousands)

Item	RESTORE INFRASTRUCTURE						Data & Communications		Mgmt. & Admin.		Subtotal, Restore Infrastructure	
	Pos.	Amount	Pos.	Amount	Pos.	Amount	Pos.	Amount	Pos.	Amount	Pos.	Amount
Grade
GS-15
GS-14
GS-13
GS-12
GS-11
GS-9
GS-7
GS-5
GS-4
GS-4
Total Positions & Annual Rate
Lapse (-)
Other than permanent
Other personnel compensation
Total nonyears and personnel
Compensation
Personal Services
Travel & transportation of persons
GSA Rent
Comm/Miscellaneous
Other Services
Supplies and Materials
Equipment
Land & structures
Total program WY & obligations changes requested, 1987	...	3,428	...	728	...	728	...	14,070	...	14,000	...	32,950

Immigration and Naturalization Service
Violent Crime Reduction Trust Fund
Financial Analysis - Program Changes
(Dollars in thousands)

BORDER FACILITATION AND ENFORCEMENT						
Item	Inspections		Data and Communications		Subtotal, Border Facilitation & Enforcement	
	Poe.	Amount	Poe.	Amount	Poe.	Amount
Grades						
GS-16						
GS-14						
GS-13						
GS-12						
GS-11						
GS-9						
GS-7						
GS-6						
GS-5						
GS-4						
Total Positions & Annual Rate						
Lapse ()						
Other than permanent						
Other personnel compensation						
Total workyears and personnel Compensation						
Personnel Benefits						
Travel and transportation of person						
GSA Rent						
Comm/Utilities/Miscellaneous						
Other Service						
Supplies and Materials						
Equipment						
Land & structures						
Total program WY & obligations		123		16,065		16,965
changes requested, 1997						
		123		16,065		16,790

Immigration and Naturalization Service
Violent Crime Reduction Trust Fund
Financial Analysis - Program Changes
(Dollars in thousands)

REMOVE CRIMINAL AND NON-CRIMINAL DEPORTABLE ALIENS

Item	Investigations		Detent. & Deport.		Data & Communications		Legal Proceedings		Management & Administration		Subtotal	
	Pos.	Amount	Pos.	Amount	Pos.	Amount	Pos.	Amount	Pos.	Amount	Pos.	Amount
Grades												
GS-15	2	\$149					2	\$139			2	139
GS-14											2	149
GS-12	2	120	6	\$296							8	421
GS-11			15	619					1	\$41	16	680
GS-9	10	353									10	353
GS-7			6	187			2	64			8	223
GS-6												
GS-5	2	45	6	112							8	157
GS-4			6	121							6	121
Total Positions & Annual Rate	18	872	36	1,315			4	195	1	41	59	2,223
Lapses (1)	(8)	(335)	(19)	(659)			(2)	(64)	(1)	(21)	(29)	(1,115)
Other than permanent												
Other personnel compensation		28		192								210
Total workyears and personnel	6	365	19	838			2	87	1	21	30	1,320
Compensation		218		366				46		6	6	658
Personnel Benefits		63		173				17				240
Travel and transportation of persons		14		39				36		6		514
GSA Rent (1)		6		12				2				12
Contractual Services		379		4,715		2,332		70		6		7,508
Other Services		63		64				4		1		132
Supplies and Materials		595		3,217				52		12		3,926
Equipment												
Land & structure												
Total program WY & obligations changes requested, 1997	6	1,832	19	10,970		2,332	2	328	1	68	30	15,517

Immigration and Naturalization Service
Violent Crime Reduction Trust Fund
Financial Analysis - Program Changes
(Dollars in thousands)

LAW ENFORCEMENT SUPPORT CENTER	
Item	Investigation FTE
Grades	
GS-16.....	1
GS-14.....	106
GS-13.....	3
GS-12.....	228
GS-11.....	7
GS-9.....	577
GS-8.....	4
GS-6.....	120
GS-4.....	24
GS-2.....	882
GS-1.....	20
Total Positions & Annual Rate.....	1,291
Lapses (-).....	(19)
Other than permanent.....	(646)
Other personnel compensation.....	..
Total employees and personnel compensation.....	20
Personal Services.....	646
Travel and transportation of persons.....	180
OSA Rent.....	16
Comm/Utilities/Miscellaneous.....	288
Other Services.....	17
Supplies and Materials.....	1,280
Equipment.....	46
Land & structures.....	600
Total program WY obligations charged, included, 1997.....	20
	3,228

Immigration and Naturalization Service
Violent Crime Reduction Programs
Priority Ranking
Fiscal Year 1997

Program	Base Program	Ranking	Initiative/Program	Program Increases	Ranking
Border Patrol		1	Restore Infrastructure		1
Detention & Deportation		2	Border Facilitation & Control		2
Investigations		3	Remove Criminal and Non-Criminal Deportable Aliens		3
International Affairs		4	Reduce Incentives for Unauthorized Employment and Benefits		4
Legal Proceedings		5			
Data & Communications		6			
Training		7	Law Enforcement Support Center		5
Management & Administration		8			

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Immigration and Naturalization Service
Violent Crime Reduction Programs
Detail of Permanent Positions by Category
Fiscal Years 1995 - 1997

Category	1995		1996		1997	
	Auth.		Auth.	Program Increases	Request	
Attorneys (905).....	64		98	3	101	
Asylum Officer (930).....	223		223	...	223	
Paralegal Specialist (950).....	12		12	...	12	
Other Legal and Kindred(900-999).....	20		32	1	33	
General Enforcement & Support (1800-1899).....	91		157	28	185	
Detention and Deportation Officer (1801).....	...		81	15	96	
Detention Enforcement Officer (1802).....	...		120	14	134	
Immigration Agent (1801).....	...		...	10	10	
Criminal Investigators (1811).....	47		47	8	55	
Border Patrol Agents (1895).....	700		700	...	700	
Personnel Management (200-299).....	3		3	...	3	
General Administrative and Clerical (300-399).....	247		247	20	267	
Accounting and Budget (500-599).....	1		1	...	1	
Engineering and Architecture (600-899).....	15		15	...	15	
Education Group (1700-1799).....	38		38	...	38	
Supply Group (2000-2099).....	4		4	...	4	
Transportation (2100-2199).....	...		18	...	18	
Other (WG).....	20		20	...	20	
Total.....	1,485		1,814	99	1,913	
Washington.....	...		...	2	2	
U.S. Field.....	1,485		1,814	97	1,911	
Total.....	1,485		1,814	99	1,913	

Investigation and Identification Branch
 United States Customs Service
 Summary of Activity for Fiscal Year 1982

Division Unit	1982 Investigation Activities				1982 Customs Activities				1982 Border Patrol			
	Agents	Attorneys	Support	Total	Agents	Attorneys	Support	Total	Agents	Attorneys	Support	Total
Administrative	100	1	1	102	1	1	1	3	100	1	1	102
Border Patrol	47	1	1	49	47	1	1	49	47	1	1	49
Compliance	47	1	1	49	47	1	1	49	47	1	1	49
Customs & Excise	47	1	1	49	47	1	1	49	47	1	1	49
Identifications & Investigations	47	1	1	49	47	1	1	49	47	1	1	49
Intelligence	47	1	1	49	47	1	1	49	47	1	1	49
Legal	47	1	1	49	47	1	1	49	47	1	1	49
Planning	47	1	1	49	47	1	1	49	47	1	1	49
Records & Communications	47	1	1	49	47	1	1	49	47	1	1	49
Training	47	1	1	49	47	1	1	49	47	1	1	49
United States Customs Service	47	1	1	49	47	1	1	49	47	1	1	49
Investigation & Research Dept.	47	1	1	49	47	1	1	49	47	1	1	49
Legal Proceedings	47	1	1	49	47	1	1	49	47	1	1	49
Investigation & Identification	47	1	1	49	47	1	1	49	47	1	1	49
Total	357	79	87	523	357	79	87	523	357	79	87	523

**Immigration and Naturalization Service
Violent Crime Reduction Programs
Summary of Change
(Dollars in thousands)**

	Positions	Work- years	Amount
1996 Conference Allowance	1,814	1,837	\$318,198
Adjustments in Workyears	..	(314)	..
1996 Appropriation Anticipated	1,814	1,323	318,198
Adjustments to base:			
Transfer from Salaries and Expenses Appropriation for detention and deportation	..	..	48,011
Mandatory Increases:			
Annualization and nonrecurring costs of 1996 program increases	..	177	16,799
1997 Pay raise	..	..	1,702
Annualization of 1996 pay raise	..	..	598
Annualization of 1996 locality pay adjustment	..	..	230
Within - grade increases	..	..	..
Foreign Allowance	..	..	..
Accident Compensation	..	..	..
Medical Hospital Service Costs	..	..	..
Travel mileage allowance rate	..	..	..
General pricing level adjustments	..	..	5,866
Restoration of 1996 Base Reduction	..	..	6,875
Total, increases	..	177	31,858
Decreases:			
Nonrecurring costs of 1996 program increases	..	..	(8,482)
1997 Base	1,814	1,500	369,595
Program Changes	92	51	68,583
1997 Estimate	1,913	1,551	458,168

Adjustments to Base:		Work Years	Amount
Investigation and Notification Services			
Violent Crime Reduction Program			
Justification of Adjustments to Base			
(Dollars in thousands)			
Transfer from the Salaries and Expenses Appropriation		...	\$48,011
A total of \$48,011,000 is to be transferred in 1997 from the Salaries and Expenses appropriation to the Detention and Deportation program of the Violent Crime Reduction Programs for alien travel, detention and welfare costs associated with increased activities related to the Detention and Deportation program.			
Increases:			
Annualization and Non-Recurrence of 371 additional positions approved in 1996		177	10,317
This provides for the annualization of 371 additional positions approved in the 1996 budget for the Investigations, Detention and Deportation, Data and Communications Systems, and Legal Proceedings programs.			
Annual salary rate of approved positions			
Other than permanent			
Special personal services			
Less Lapses (50%)			
Net Compensation			
Associated employee benefits			
Travel			
Transportation of things			
OSA Rent			
Communications/Utilities			
Other Services			
Supplies/Materials			
Equipment			
Total costs subject to annualization			
Approved 1996 Increases			
Annualization			
Revised			
Total costs subject to annualization			

1987 pay rates.....	..	\$1,702
This request provides for the proposed 3.1 percent pay rates to be effective in January of 1987 and is consistent with Administration policy included in the 1977 Passback revised economic assumptions, January 22, 1986. The amount requested, \$1,702,000, represents the pay amounts for three-quarters of the fiscal year plus appropriate benefits (\$1,246,000 pay and \$456,000 benefits = \$1,702,000).		
Annualization of 1986 pay rates.....	..	546
This pay annualization represents first quarter amounts (October through December) of the 1986 pay increase of 2.4 percent plus appropriate personnel benefits (\$434,000 for pay and \$112,000 for benefits).		
Annualization of 1986 locality pay adjustment.....	..	230
This adjustment represents the locality pay increase received in January 1986.		
General pricing level adjustments.....	..	3,866
This request applies OMB pricing guidance as of June 11, 1995, to selected expense categories. The increased costs identified result from applying a factor of 3.1 percent against those subobject classes where the prices that the Government pays are established through the market system instead of by law or regulation. Generally, the factor is applied to supplies, materials, equipment, contracts with the private sector, printing costs, transportation costs, and utilities.		
Restoration of 1986 Base Reduction.....	..	6,675
This funding is to support staffing in the Asylum Program as described in a 1996 reprogramming. These resources were funded in the VCRP in 1995 and one-time only in the Exams Fee Account.		
Total Increases.....	171	25,376
Total Adjustments to the Base.....	177	73,387

Immigration and Naturalization Service
United China Reduction Program
Summary of Requirements by Grade and Salary Range
(Dollars in thousands)

Grades and Salary Ranges	1995 Actual		1996 Appropriation		1997 Request		Increase/Decrease	
	Positions & Workyears	Amount	Positions & Workyears	Amount	Positions & Workyears	Amount	Positions & Workyears	Amount
GS-14, \$98,015-76,591.....	76	...	123	...	126	...	3	...
GS-13, \$49,850-64,814.....	51	...	51	...	54	...	3	...
GS-12, \$41,526-54,508.....	308	...	308	...	319	...	11	...
GS-11, \$34,081-45,475.....	35	...	35	...	51	...	16	...
GS-9, \$28,012-37,598.....	728	...	738	...	753	...	17	...
GS-7, \$23,834-30,726.....	65	...	214	...	228	...	12	...
GS-6, \$21,269-27,650.....	66	...	145	...	145	...	...	...
GS-5, \$19,081-24,605.....	131	...	171	...	202	...	31	...
GS-4, \$17,055-22,176.....	5	...	11	...	17	...	6	...
Wage Grade.....	20	...	20	...	20	...	...	...
Locality Pay.....	...	...	...	...	...	...	...	...
1996 Pay Rates.....	...	...	...	...	...	...	...	...
1997 Pay Rates.....	...	...	...	...	...	...	...	...
Total positions.....	1,455	\$37,830	1,914	\$57,238	1,913	\$4,721	96	\$1,261
Pay above stated annual rates.....	...	...	...	...	...	...	...	...
Lapses.....	(925)	(19,560)	(506)	(7,516)	(382)	(13,876)	144	(8,067)
Salary due to lower pay scales for part of year.....	...	...	...	...	...	...	...	...
Net full-time permanent.....	560	18,250	1,308	49,838	1,561	60,643	243	(434)
Other than permanent.....	...	204	...	...	...	...	...	11,005
Other personnel compensation.....	...	...	...	...	...	...	...	...
Overtime.....	90	1,878	90	9,733	118	10,897	28	1,164
Special personal services payments.....	...	49	...	...	...	...	...	...
Total, workyears and personnel compensation.....	650	20,178	1,398	59,371	1,669	71,540	271	12,169
Average GS Salary.....	...	\$25,020	...	\$31,850	...	\$33,000	...	...
Average GS Grade.....	...	7.2	...	9.2	...	9	...	...

Immigration and Naturalization Service
Violent Crime Reduction Programs
Summary of Requirements by Grade and Object Class
(Dollars in thousands)

Object Class	1995 Actual		1996 Appropriation		1997 Request		Increase/Decrease	
	Workyears	Amount	Workyears	Amount	Workyears	Amount	Workyears	Amount
11.1 Full-time permanent.....	500	\$18,250	1,323	\$49,636	1,551	\$90,643	228	\$11,005
11.2 Other than permanent.....	..	204	..	..	..	..	..	..
11.3 Other personnel compensation.....	90	1,870	90	9,733	118	10,997	28	1,164
11.3 Special personnel services payments.....	..	35	..	..	..	..	..	..
Total, workyears and personnel compensation.....	650	20,176	1,413	59,371	1,669	71,540	256	12,166
12.1 Personnel benefits.....	..	9,262	..	21,124	..	25,076	..	3,952
21.0 Travel.....	..	4,326	..	8,766	..	15,066	..	6,300
22.0 Transportation of things.....	..	1,378	..	406	..	460	..	74
23.1 GSA rent.....	..	2,669	..	4,907	..	5,922	..	1,015
23.2 Other rent.....	..	18	..	..	..	..	..	..
23.3 Communications, utilities.....	..	428	..	1,333	..	1,551	..	218
24.0 Printing & Reproduction.....	..	34	..	46	..	50	..	1
25.0 Other services.....	..	55,896	..	105,447	..	150,518	..	44,071
26.0 Supplies and materials.....	..	69,546	..	8,609	..	11,535	..	2,926
31.0 Equipment.....	..	59,999	..	137,709	..	179,409	..	39,702
Total obligations.....	650	220,702	1,413	348,740	1,669	458,168	256	106,426
Relation of obligations to outlays:								
Obligations.....	..	220,702	..	348,740	..	458,168	..	..
Obligated balance, start of year.....	..	..	..	153,187	..	208,000	..	..
Obligated balance, end of year.....	..	(153,187)	..	(208,000)	..	(270,000)	..	..
Outlays.....	..	67,515	..	293,927	..	394,168	..	..

Immigration and Naturalization Service
Violent Crime Reduction Programs
Schedule of Aircraft

Method of Acquisition and Type of Aircraft	1994 End-of- Year Inventory	1995			1996			1997		
		Acquired	Disposed	End-of Year	Acquired	Disposed	End-of Year	Acquired	Average Cost	End-of Year
Direct Purchase:										
Fixed wing:
Single engine
Twin engine
Four engine
Turbo prop
Jet engine
Helicopter:
Single engine	2	...	2	3	\$900,000	5
Multi engine
Subtotal purchased	2	...	2	3	\$900,000	5
Leased:										
Fixed wing
Helicopter
Subtotal leased
Seized or no cost excess:										
Fixed wing:
Single engine
Twin engine
Four engine
Turbo prop
Jet engine
Helicopter:
Single engine
Multi engine
Subtotal seized
On Loan:										
Helicopter:
Single engine
Total Aircraft	2	...	2	3	\$900,000	5

Department of Justice
Immigration and Naturalization Service
Immigration Legislation
Estimates for Fiscal Year 1997
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Immigration and Naturalization Service

Immigration Legalization
Summary Statement
Fiscal Year 1997

The Immigration and Naturalization Service (INS) is requesting base resources of 55 positions, 25 workyears, and \$1,893,000 in the Immigration Legalization account. No program increases are being requested.

The Immigration Reform and Control Act of 1986 (IRCA), P.L. 99-603, Title II, Sections 201-204, established a legalization program that provided temporary resident status to aliens who entered the United States illegally or lapsed into illegal status prior to January 1, 1982, resided continuously in the United States since then, and are not excludable. The legislation also provided for adjustment to permanent resident status after 18 months of temporary status upon showing general admissibility and basic citizenship skills. Section 202 further provided for adjustment to permanent resident status of certain Cubans and Haitians who entered the U.S. prior to January 1, 1982. The Immigration Act of 1990 provided a one-year extension of the deadline for filing applications for adjustment from temporary to permanent resident status.

This request will allow INS to complete the processing of applications for permanent resident status and to shift its remaining resources to process appeals. There are a number of lawsuits pending against INS related to the Legalization program. INS will keep the committees advised of any legal settlements or judicial decisions that affect future resource requirements.

Immigration and Naturalization Service
Immigration Legislation
Contents of 1968 Changes
(Dollars in thousands)

	1968 President's Budget Request			Reprogramming			Congressional Appropriation Action on 1968 Request			1968 Appropriation Anticipated		
	Pos.	NY	Amount	Pos.	NY	Amount	Pos.	NY	Amount	Pos.	NY	Amount
Activities/Programs												
1. Citizenship and Benefits:												
a. Acquisitions and Naturalization.....	23	21	\$1,516	27	..	..	..	..	..	50	21	\$1,516
2. Immigration Support:												
b. Information & Records Management.....	1	1	43	1	..	..	..	..	..	2	1	43
c. Legal Proceedings.....	3	3	264	..	..	..	..	..	..	3	3	264
Subtotal.....	4	4	307	1	..	..	..	..	..	5	4	307
Total Obligations.....	27	25	1,823	28	..	..	..	..	..	55	25	1,823

Reprogramming: The reprogramming of positions reflects the permanent effect of the April 12, 1968 reprogramming notification. In the narrative accompanying the notification, it was stated that the reprogramming was of a permanent nature.

Immigration and Naturalization Service
Immigration Legalization
Summary of Requirements
(Dollars in thousands)

	1995 Actual	1996 Appropriation Anticipated	1997 Request
Financing			
Unappropriated balance, start-of-year.....	\$8,714	\$4,503	\$2,780
Receipts.....	863	100	...
Total available for appropriation.....	7,367	4,603	2,780
Appropriation.....	(2,864)	(1,823)	(1,893)
Unappropriated balance available, end-of-year.....	4,503	2,780	887
Obligations	2,906	1,823	1,893
Recovery of prior year obligations.....	(32)	...	...
Total requirements.....	2,864	1,823	1,893
Obligations by program			
Enforcement:			
Intelligence.....	...	...	...
Citizenship and Benefits:			
Adjudications and Naturalization.....	2,862	1,516	1,579
Immigration Support:			
Data and Communications.....	...	...	...
Information and Records Management.....	25	43	44
Legal Proceedings.....	223	284	270
Subtotal.....	254	307	314
Total obligations, INS.....	2,906	1,823	1,893
Obligations, Office of Special Counsel.....	...	...	...
Total obligations.....	2,906	1,823	1,893

**Immigration and Naturalization Service
Immigration Law Enforcement
Summary of Resources by Program
(Values in thousands)**

	1992 As Enacted			1995 Actual			1997 Base			1997 Request			Increase/Decrease		
	Perm. FTE	NY	Amount	Perm. FTE	NY	Amount	Perm. FTE	NY	Amount	Perm. FTE	NY	Amount	Perm. FTE	NY	Amount
Estimates by Program:															
Citizenship and Benefits.....	50	54	\$9,148	50	49	\$2,602	50	21	\$1,516	50	21	\$1,579	..	..	..
Adjudications and Naturalization.....	2	1	43	2	1	25	2	1	43	2	1	44	..	..	..
Immigration Support.....	3	3	258	3	3	229	3	3	270	3	3	270	..	..	..
Inspection and Records (I&R).....	5	4	254	5	4	254	5	4	252	5	4	214	..	..	..
Legal Proceedings.....	55	56	3,462	55	53	2,809	55	25	1,823	55	25	1,893	..	..	..
Total I&R.....															
Total PTE Workyears.....															
Overtime.....															
Other.....															
Total comparable workyears.....															

Immigration and Naturalization Service
Immigration Legalization
Program Performance Information
(Dollars in Thousands)

The Immigration Reform and Control Act of 1986 (IRCA), P.L. 99-603, Title II, Sections 201-204, established a legalization program that provided temporary resident status to aliens who entered the U.S. illegally or lapsed into illegal status prior to January 1, 1982, resided continuously in the U.S. since then, and are not excludable. The legislation also provided for adjustment to permanent resident status after 18 months of temporary status upon showing general admissibility and basic citizenship skills. Section 202 further provided for adjustment to permanent resident status of certain Cubans and Haitians who entered the U.S. prior to January 1, 1982. The Immigration Act of 1990 provided a one-year extension of the deadline for filing applications for adjustment from temporary to permanent resident status.

The processing of appeals of denials for permanent resident status will continue through 1997. The request will allow the Service to complete processing of the small number of applications for permanent resident status and to shift additional resources to processing of appeals. Sufficient carryover resources will exist to fund the ongoing costs of this level of activity. All of the Legalization Offices have been closed except for the Los Angeles and Manhattan offices. The Legalization Regional Processing Facilities have been merged into the INS Service Centers within the Examinations program. The Legalization component of these centers will be phased out as work is completed, and remaining resources, such as equipment, will be used to improve the processing of ongoing casework at the Centers.

Several class action suits relating to the Legalization program are pending final resolution in the courts. The Service's field offices continue to accept applications related to these court cases until there is a final resolution in the district court.

Depending upon the outcome, final court action resolving these cases could generate limited additional processing in the future. The request for 1997 will cover processing costs and the costs of appeals processing.

ACTIVITY: CITIZENSHIP AND BENEFITS

	Perm. Pos.	FTE	Amount
Adjudications & Naturalization			
1996 Availability	50	21	\$1,516
1997 Base	50	21	1,579
1997 Request	50	21	1,579
Increase/Decrease	...	...	...

BASE PROGRAM DESCRIPTION:

- The Immigration Legalization program is responsible for processing applications for permanent resident status in accordance with the Immigration Reform and Control Act of 1986 (IRCA) (P.L. 99-603, Title II, Sections 201-204). The Act established a legalization program that provided temporary resident status to aliens who entered the U.S. illegally or lapsed into illegal status prior to January 1, 1982, resided continuously in the U.S. since then, and are not excludable. The legislation also provides for adjustment to permanent resident status after 18 months of temporary status upon showing general admissibility and basic citizenship skills.
- With the exception of residual cases, the processing of all applications was completed in 1993. Processing of appeals of denials will continue during 1997.

ACTIVITY: IMMIGRATION SUPPORT

	Perm. Pos.	FTE	Amount
Information and Records			
1996 Availability	2	1	\$43
1997 Base	2	1	44
1997 Request	2	1	44
Increase/Decrease	...	...	...

BASE PROGRAM DESCRIPTION:

- This program provides information and records management support to the staff of the Legalization Appeals Unit (LAU).
- Provides correspondence management support to the staff of the LAU to ensure compliance with the Freedom of Information Act and the Privacy Act.
- Ensure efficient records management in the life cycle of records. Ensure efficient mail and correspondence management practices.

ACTIVITY: IMMIGRATION SUPPORT

	Perm. Pos.	FTE	Amount
Legal Proceedings			
1996 Availability	3	3	\$264
1997 Base	3	3	270
1997 Request	3	3	270
Increase/Decrease			

BASE PROGRAM DESCRIPTION:

- The legal proceedings program provides legal representation for the United States Government in legalization cases and matters arising before Immigration Judges and the Board of Immigration Appeals;
- Represents INS in other legalization-related administrative hearings; provide legal advice and support to INS personnel regarding legalization-related matters;
- Represents INS in cases stemming from the legalization statutes being tried in the Federal courts.

Immigration and Naturalization Service
 Immigration Legalization
 Priority Ranking
 Fiscal Year 1997

Program	Base Program	Ranking
Adjudications and Naturalization		1
Legal Proceedings		2
Information and Records Mgmt		3

Immigration and Naturalization Service
Immigration Legalization
Detail of Permanent Positions by Category
Fiscal Years 1995 - 1997

Category	1995	1996	1997
	Auth.	Auth.	Request
Attorneys (801).....	2	2	2
Paralegal Specialist (850).....	1	1	1
Contact Representatives (882).....	1	1	1
Adjudications Officer (1801).....	51	51	51
Total.....	55	55	55
Washington.....	55	55	55
Total.....	55	55	55

**2013-2014
Investigation and Identification Services
Investigation Unit
Office of Technology
Bureau of Criminal Appraisal and Asset Protection**

	1994 Activities Anticipated				1997 Program Objectives				1997 Required Level			
	Agents Pos.	Attorneys Pos.	Support Pos.	Total Pos.	Agents Pos.	Attorneys Pos.	Support Pos.	Total Pos.	Agents Pos.	Attorneys Pos.	Support Pos.	Total Pos.
Domestic Unit												
Investigations	-	-	-	-	-	-	-	-	-	-	-	-
Border Patrol	-	-	-	-	-	-	-	-	-	-	-	-
Immigration	-	-	-	-	-	-	-	-	-	-	-	-
Customs & Deposition	-	-	-	-	-	-	-	-	-	-	-	-
Subgrants	-	-	-	-	-	-	-	-	-	-	-	-
Adjustment & Naturalization	-	-	-	-	-	-	-	-	-	-	-	-
International Affairs	-	-	-	-	-	-	-	-	-	-	-	-
Training	-	-	-	-	-	-	-	-	-	-	-	-
Data & Comm. Systems	-	-	-	-	-	-	-	-	-	-	-	-
Information & Records Mgmt.	-	-	-	-	-	-	-	-	-	-	-	-
Const. & Engineering	-	-	-	-	-	-	-	-	-	-	-	-
Legal Proceedings	-	-	-	-	-	-	-	-	-	-	-	-
Miscellaneous & Administration	-	-	-	-	-	-	-	-	-	-	-	-
Total	1	1	1	3	1	1	1	3	1	1	1	3

Immigration and Naturalization Service
 Immigration Legalization
 Summary of Changes
 (Dollars in thousands)

	Positions	Work- years	Amount
1996 Appropriation Anticipated.....	55	25	\$1,823
Adjustments to base:			
Increases:			
1997 Pay raise.....	..	..	39
Annualization of 1996 pay raise.....	..	..	13
Annualization of 1996 locality pay adjustment.....	..	..	5
Within - grade increases.....	..	..	13
Total, Increases.....	..	..	70
1997 Base.....	55	25	1,893
Program Changes.....	..	..	..
1997 Request.....	55	25	1,893

**Immigration and Naturalization Service
Immigration Legislation
Justification of Adjustments to Base
(Dollars in thousands)**

1506

Adjustments to Base:		Amount
Increases (Automatic, Non-Policy):		
1997 pay raise	This request provides for the proposed 3.0 percent pay raise to be effective in January of 1997 and is consistent with Administration policy included in the 1997 Payback revised economic assumptions, January 22, 1996. The amount requested, \$39,000, represents the pay amounts for three-quarters of the fiscal year plus appropriate benefits (\$33,000 for pay and \$6,000 benefits = \$39,000).	\$39
Annualization of 1996 pay raise	This pay annualization represents first quarter amounts (October through December) of the 1996 pay increase of 2.4 percent, plus appropriate personnel benefit (\$11,000 for pay and \$2,000 for benefits).	13
1996 locality pay adjustment	This adjustment represents the locality pay increase received in January 1996.	5
Within-grade increases	This request provides for the expected increase in costs of within-grade increases. This increase is based on an accurate, dynamic model of the Department's employee population which includes numerous factors such as anticipated pay raises, adjustments to include three-year merit/evaluation rates, and career ladder series to reflect promotion policy for each organization. The request includes \$11,000 for pay and \$2,000 for benefits.	13
Total, adjustments to the base		70

1506

Immigration and Naturalization Service
Immigration Localization
Summary of Resources by Grade and Object Class
(Dollars in thousands)

Grades and Salary Ranges	1995 Actual		1996 Estimate		1997 Request		Increase/Decrease	
	Position & Workyears	Amount	Position & Workyears	Amount	Position & Workyears	Amount	Position & Workyears	Amount
GS-14, \$58,015-78,591.....	4	...	4	...	4	...	...	...
GS-11, \$34,041-45,975.....	9	...	9	...	9	...	...	...
GS-9, \$28,012-37,588.....	10	...	10	...	10	...	...	...
GS-7, \$23,004-30,728.....	4	\$48	4	\$48	4	\$48	...	...
Locality Pay.....	...	...	...	84	...	84	...	...
1995 pay rates.....	...	...	...	...	...	...	...	...
1997 pay rates.....	27	1,250	27	1,297	27	1,345	...	\$48
Total, positions.....	...	...	...	5	...	3	...	(2)
Pay above stated annual rates.....	(13)	(873)	(2)	(81)	(2)	(81)	...	...
Leaves.....	...	(12)	...	(21)	...	(11)	...	10
Service due to lower pay scales for part of year.....	...	...	...	...	...	...	...	...
Net full-time permanent.....	14	565	25	1,200	25	1,236	...	56
Other than permanent:								
Temporary employment.....	39	1,332	...	...	...	...	...	...
Other personnel compensation:								
Overtime.....	...	65	...	17	...	19	...	2
Total, workyears and personnel compensation.....	53	1,962	25	1,217	25	1,275	...	56
Average GS Salary.....	...	\$32,360	...	\$33,370	...	\$34,555	...	...
Average GS Grade.....	...	10.1	...	10.1	...	10.1	...	...

Immigration and Naturalization Service
Immigration Legalization
Summary of Requirements by Grade and Object Class
(Dollars in thousands)

Object Class	1995 Actual		1996 Estimate		1997 Request		Increase/Decrease	
	Workyears	Amount	Workyears	Amount	Workyears	Amount	Workyears	Amount
11.1 Full-time permanent.....	14	\$565	25	\$1,200	25	\$1,256	...	\$56
11.3 Other than permanent.....	39	1,332	...	...	...	...	...	...
11.5 Other personnel compensation.....	53	85	25	17	25	18	...	2
Total, workyears and personnel compensation..	53	1,982	25	1,217	25	1,275	...	58
12 Personnel benefits.....		459		410		422		12
21 Travel and transportation of persons.....		5		28		28		...
22 Transportation of things.....		...		...		...		...
23.1 GSA rent.....		172		121		121		...
23.2 Rental payments to others.....		...		2		2		...
23.3 Communications, utilities and miscellaneous charges.....		24		22		22		...
24 Printing and reproduction.....		2		...		...		...
25 Other services.....		170		8		8		...
26 Supplies and materials.....		66		16		16		...
31 Equipment.....		45		1		1		...
42 Refunds.....		1		...		...		...
Total obligations.....	53	2,906	25	1,823	25	1,893	...	70
Relation of obligations to outlays:								
Total obligations.....		2,906		1,823		1,893		70
Recovery of prior years obligations.....		...		...		...		...
Outlays.....		2,906		1,823		1,893		70

Department of Justice
Immigration and Naturalization Service
Immigration User Fee
Estimates for Fiscal Year 1997
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Immigration and Naturalization Service

Immigration User Fee Account

Summary Statement

Fiscal Year 1997

For FY 1997, the Immigration and Naturalization Service (INS) requests 3,351 positions, 2,940 workyears, and \$388,664,000 for the Immigration User Fee account. This request represents an increase of 168 positions, 95 workyears, and \$36,792,000 over the enacted level for FY 1996.

The Immigration User Fee account was established in the 1987 Appropriations Act for the Department of Justice, (P.L. 99-591). Section 205 of the law directed the Attorney General to charge and collect a \$5.00 user fee from each individual arriving in the United States aboard a commercial aircraft or vessel from foreign locations (other than Mexico, Canada, and the adjacent islands).

In the 1991 Appropriations Act, the Congress removed the fee exemption for Canada, Mexico and the contiguous territories for air ports-of-entry, and placed a 45-minute immigration inspection standard at air ports-of-entry. The Department of Justice Appropriations Act of 1994 (P.L. 103-121) increased the user fee from \$5.00 to \$6.00.

These fees are deposited into the Immigration User Fee account and are available to be used to provide immigration inspection services for commercial aircraft and vessels; administer debt collection activities, including the establishment and operation of a National Collections Office; expand and operate information systems for non-immigrant control and debt collection; detect fraudulent documents used by air and sea passengers traveling to the United States; detain and deport excludable aliens arriving on commercial aircraft and vessels, detain and deport excludable aliens who attempt illegal entry through avoidance of immigration inspection at air or sea ports-of-entry, provide exclusion and asylum proceedings at air or sea ports-of-entry, and provide necessary support for operations to assure that the objectives of the programs are achieved.

Revenue Assumptions

The FY 1996 and FY 1997 estimates used FY 1995 as a collections base, and include an annual increase in international passenger traffic of 6.6 percent based upon Federal Aviation Administration projections. The estimated revenue could also be affected by changes in legislation.

A legislative proposal will be submitted to remove the User Fee exemption for passengers arriving in the United States from Canada, Mexico, and adjacent islands on commercial vessels. It is estimated that removal of the commercial vessel exemption will generate \$20.4 million in FY 1997. These revenues are assumed in this budget proposal.

Border Facilitation and Control

Total program increases of 198 positions, 98 workyears, and \$20,221,000 are requested to support the Border Facilitation and Control initiative of INS. Specifically, the FY 1997 request includes 30 positions, 15 workyears, and \$2,479,000 to provide staffing at two new airports which will become operational in Maui and Kona, Hawaii and \$2,601,000 to continue automation and reinvention of the inspections process. The requested resources will be used to complete automation of the arrival/departures (I-94) document and will allow INSPASS to be expanded to six major airports.

The request also includes 15 positions, 7 workyears, and \$2,492,000 for the pre-inspection expansion effort in Ottawa, Canada to prevent persons who may be a security threat from ever landing in the United States.

Finally, INS requests 153 positions, 76 workyears, and \$12,649,000 to increase airport staffing to continue to meet the 45 minute standard. This increase will be allocated to offset moderate nationwide traffic growth at the major locations and allow INS to target dedicated positions to airports undergoing extensive facilities expansion.

Immigration and Naturalization Service
Immigration User Fee
Crosswalk of 1996 Changes
(Dollars in thousands)

Activity/Program	1996 President's Budget Request		Reprogrammings		Congressional Appropriation Action on 1996 Request		Adjustments in Workyears		1996 Appropriation Anticipated	
	Pos	WY	Pos	WY	Pos	WY	Pos	WY	Pos	WY
1 Enforcement										
a Inspections	2,607	2,697	2,004	693	(43)	(210)	(\$1,187)	(9)	2,564	2,273
b Investigations	78	56	7,380				(214)	(214)	69	48
c Detention & Deportation	192	184	60,007				(2)	(2)	192	185
d Intelligence	41	34	4,344				(2)	(2)	27	25
Subtotal	2,918	2,971	276,424		(40)	(207)	(842)	(26)	2,852	2,532
2 Citizenship and Benefits										
a International Affairs	18	9	5,022				203	(18)	(9)	(5,225)
3 Immigration Support										
a Training	37	33	8,133				(4,145)	(7)	(4)	(1,205)
b Data & Communications	31	29	34,121				(618)	(2)	31	28
c Information & Records Management	36	33	1,498				194	(3)	36	31
d Construction & Engineering	2	2	147				10		2	2
e Legal Proceedings	65	67	5,231				282	(7)	65	61
Subtotal	171	164	49,130				(4,267)	(7)	164	146
4 Program Direction										
a Management and Administration	167	165	19,208				(306)	(5)	167	165
Total	3,274	3,312	349,784		(40)	(202)	(5,212)	(51)	3,183	2,845
Obligations from fines			7,300							7,300
Total Obligations	3,274	3,312	357,084		(40)	(202)	(5,212)	(51)	3,183	2,845

Reprogrammings. The reprogramming of resources reflects the permanent effects of the May 28, 1995 and September 28, 1995 reprogramming notifications. In the narrative accompanying the notifications, it was stated that the reprogrammings were of a permanent nature and would carry into 1996.

Congressional Action on 1996 Request. The Congress approved the President's 1996 budget request resource totals. However, resources that had been requested for the Investigations, Intelligence, International Affairs and Training programs were placed by Congress in the Inspections program for automation of the arrival process, information sharing with the Department of State, and departure control projects.

Adjustments in Workyears. As a result of the delayed enactment of 1996 appropriations, the capacity limits of the hiring and training systems, and the resulting delays in hiring, some workyears cannot be used in 1996 and 1997. Reprogrammings of funds made available by these hiring delays will be submitted as needed.

Immigration and Naturalization Service
Immigrant User Fee
Summary of Estimates
(Dollars in thousands)

Adjustments to the base:

1998 Confirmed Action	Perm. Pos.	Work-years	Amount
Adjustments in Work-years	3,163	3,063	\$351,872
1998 Appropriation Anticipated	3,163	(208)	351,872
Streamlining	(30)	(3)	12,071
Increases (automatic, non-policy)	...	...	4,400
Increases in Estimated Fine Collections ¹	3,153	2,842	368,443
1997 Base	198	98	20,221
Program Changes (See Program Narrative for Details)	3,351	2,940	368,664
1997 Request	3,351	2,940	368,664
¹ Estimated Fine Collections are estimated to be \$4,700,000 higher than in the President's budget appendix, increasing the User Fee total to \$381,964,000 from \$381,964,000.			

1998 Appropriation Anticipated

Estimates by budget activity	1998 Appropriation Anticipated		1997 Base		1997 Request		Increase/Decrease	
	Perm. Pos.	WY	Amount	Perm. Pos.	WY	Amount	Perm. Pos.	WY
1 Enforcement	2,852	2,532	\$282,012	2,822	2,529	\$282,135	3,020	2,827
2 Citizenship and Benefits	...	...	...	...	...	...	...	...
3 Immigration Support	164	148	43,656	164	148	47,396	...	...
4 Program Direction	187	185	16,902	187	185	19,813	...	...
Total	3,183	2,845	344,572	3,153	2,842	376,664	198	98
Obligations from fines	...	...	7,300	...	...	11,700	...	...
Total Obligations	3,183	2,845	351,872	3,153	2,842	388,443	198	98

Immigration and Naturalization Service

Immigration User Fee

Summary of Requirements

(Dollars in thousands)

	1989 Actual	1988 Appropriation Anticipated	1987 Balance
Funding			
Unappropriated balance, start-of-year	\$42,399	\$47,653	\$22,681
Recovery of prior year obligations	305,297	305,872	305,872
Total available for appropriation	347,696	353,525	328,553
Appropriation	349,875	351,455	400,344
Unappropriated balance, end-of-year	(302,822)	(351,872)	(388,864)
Obligations	47,053	22,681	11,717
Recovery of prior year obligations	305,297	351,872	348,864
Total requirements	(2,875)	351,872	358,864
Obligations by program			
Enforcement			
Investigation	171,882	213,856	239,698
Inspection	4,876	5,246	5,429
Detention and Deportation	60,132	69,882	61,177
Intelligence	2,877	3,085	3,167
Subtotal	239,820	292,072	308,766
Citizenship and Benefits	78	...	...
International Affairs	78	...	...
Immigration Support			
Training	8,130	2,783	2,878
Planning	3,511	35,103	34,910
Disaster Operations	1,777	1,892	1,810
Information and Records Management	644	157	181
Construction and Engineering	4,348	5,823	6,210
Legal Proceedings	45,447	43,658	47,398
Subtotal	66,239	90,116	95,487
Program Direction:			
Management and Administration	18,368	18,992	19,813
Obligations from fees	303,410	344,572	378,864
Obligations from fines	1,887	7,390	11,708
Total Obligations	305,297	351,872	358,864

Immigration and Naturalization Service
Immigration User Fee
Summary of Resources by Program
(Dollars in thousands)

	1985 as Enacted			1985 Actual			1986 Appropriation Anticipated			1987 Base			1987 Request			Increase/Decrease		
	Pos.	NY	Amount	Pos.	NY	Amount	Pos.	NY	Amount	Pos.	NY	Amount	Pos.	NY	Amount	Pos.	NY	Amount
Estimates by Jurisdiction																		
Enforcement:																		
Inspection:	2,544	2,487	910,439	2,544	2,392	917,192	2,544	2,273	921,955	2,534	2,270	922,079	2,792	2,369	929,998	199	98	917,690
Investigation:	99	51	4,981	99	51	4,879	99	49	5,340	99	49	5,423	99	49	5,423	...	...	...
Detention & Deportation:	192	186	40,944	192	176	40,132	192	166	39,892	192	166	39,177	192	166	39,177	...	...	...
Intelligence:	22	22	3,058	22	22	2,827	22	25	3,085	22	25	3,152	22	25	3,152	...	...	...
Subtotal:	2,862	2,790	952,412	2,862	2,641	925,105	2,862	2,532	968,372	2,822	2,529	968,136	3,005	2,607	978,756	196	98	17,650
Citizenship and Benefits:																		
Naturalization:	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...
Immigration Support:	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...
Data & Communications Systems:	30	29	6,852	30	29	6,149	30	29	6,792	30	29	6,792	30	29	6,792	...	...	...
Information & Records Management:	31	30	31,842	31	27	32,441	31	29	33,029	31	29	34,329	31	29	35,719	...	...	...
Construction & Engineering:	34	34	1,598	34	30	1,777	34	31	1,692	34	31	1,729	34	31	1,729	...	...	...
Legal Proceedings:	2	2	153	2	2	544	2	2	117	2	2	161	2	2	161	...	...	...
Subtotal:	97	95	20,445	97	86	43,968	97	91	52,610	97	91	52,911	97	91	52,911	...	...	...
Program Direction:																		
Management and Administration:	187	170	18,921	187	151	18,398	187	186	18,902	187	186	19,113	187	186	19,113	...	...	...
Total:	3,183	3,063	318,312	3,183	2,877	303,610	3,183	2,846	344,872	3,153	2,842	368,743	3,381	2,940	378,944	196	98	30,221
Obligations from fees:	...	...	4,870	...	...	1,897	...	...	7,300	...	...	11,700	...	...	11,700	...	...	...
Total obligations:	3,183	3,063	320,982	3,183	2,877	305,507	3,183	2,846	352,172	3,153	2,842	380,443	3,381	2,940	390,644	196	98	30,221
Other Workyears:																		
1801 Act:	1,081	...	...	1,081	...	...	1,101	...	...	1,109	...	...	1,109	...	...	...	...	...
AUC:	24	...	...	24	...	...	31	...	...	31	...	...	31	...	...	...	...	...
Other:	129	...	...	129	...	...	188	...	...	188	...	...	188	...	...	...	...	...
Total compensable workyears:	4,937	...	...	4,931	...	...	4,193	...	...	4,197	...	...	4,396	...	...	...	...	...

Immigration and Naturalization Service
Immigration User Fee
Program Performance Information
(Dollars in Thousands)

The Immigration User Fee account was established in the 1987 Appropriations Act for the Department of Justice, (P.L. 99-591). Section 205 of the law directed the Attorney General, effective December 1, 1986, to charge and collect a \$5.00 user fee from each individual arriving in the United States aboard a commercial aircraft or vessel from foreign locations (other than Mexico, Canada and the adjacent islands).

In the 1991 Appropriations Act, the Congress removed the fee exemption for Canada, Mexico and the contiguous territories for air ports-of-entry, and placed a 45-minute immigration inspection standard at air ports-of-entry. The Department of Justice Appropriations Act, 1994 (P.L. 103-121) increased the user fee from \$5.00 to \$6.00. All fees are to be deposited in an Immigration User Fee account.

The resources are to be used to: provide immigration inspection services for commercial aircraft and vessels; administer debt collection activities, including the establishment and operation of a National Collections Office; expend and operate information systems for non-immigrant control and debt collection; detect fraudulent documents used by air and sea passengers traveling to the United States; detain and deport excludable aliens arriving on commercial aircraft and vessels, detain and deport excludable aliens who attempt illegal entry through avoidance of immigration inspection at air or sea ports-of-entry, provide exclusion and asylum proceedings at air or sea ports-of-entry, and provide necessary support for operations to assure that the objectives of the programs are achieved.

Streamlining Initiatives: INS will reduce 3 workyears in FY 1997 through the increased use of and expansion of the INS Passenger Accelerated Service System (INSPASS), Advanced Passenger Information System (APIS) and other automated inspection tools.

ACTIVITY: ENFORCEMENT

	Perm. Pos.	FTE	Amount
Inspections			
1996 Appropriation Anticipated	2,564	2,273	\$213,855
1997 Base	2,534	2,270	222,078
1997 Request	2,732	2,368	239,698
Increase/Decrease	198	98	17,620

BASE PROGRAM DESCRIPTION:

The function of this program is to enforce and administer the immigration and nationality laws with respect to the inspection of all persons seeking admission into the United States. Applicants for admission are inspected at air and sea ports-of-entry to determine if they qualify for admission, and, if so, under what conditions. This process is coordinated with the Department of State, the U.S. Customs Service, the Department of Agriculture, and local port authorities. Determination of inadmissibility is based on the examination of the applicant, related documents, or prior information. Local and national lookout systems containing information relating to excludable aliens are available for use at each port-of-entry. Inadmissible aliens are denied entry. Any criminal activity discovered in the inspection process is referred to the appropriate law enforcement agency for investigation. Applications and petitions for a full range of benefits under the immigration laws are adjudicated during periods of standby time at most ports-of-entry during non-peak workload hours.

ACTIVITY: ENFORCEMENT

	Perm. Pos.	FTE	Amount
Investigations			
1996 Appropriation Anticipated	69	49	\$5,240
1997 Base	69	49	5,423
1997 Request	62	49	5,423
Increase/Decrease	..	..	..

BASE PROGRAM DESCRIPTION:

- The function of this program is to detect criminal law violations and identify violators through covert operations and other investigative procedures, and initiate criminal prosecution or administrative action. Many of the cases investigated involve violators associated with large-scale, highly-organized criminal conspiracies. Quite often, these criminal alien organizations are simultaneously engaged in other illegal activities such as racketeering, alien smuggling, counterfeiting, prostitution, official corruption, narcotics, weapons trafficking and extortion on an international scale. Special Agents identify these organizations through interviews, the use of informants, surreptitious surveillance, as well as undercover and task force operations. Investigative task force operations concentrate the resources of a local office, or combine the resources of several offices, to identify the members and activities of a criminal organization. Investigations often require the service of subpoenas and search warrants to obtain evidence.

ACTIVITY: ENFORCEMENT

	Perm. Pos.	FTE	Amount
Detention and Deportation			
1996 Appropriation Anticipated	192	185	\$59,852
1997 Base	192	185	61,477
1997 Request	192	185	61,477
Increase/Decrease	...	...	...

BASE DESCRIPTION:

- Detention and Deportation program functions include the detention, removal, parole and deportation of aliens. Both INS-owned and contract facilities are used to detain, until ready for removal, those aliens subject to exclusion proceedings who are likely to abscond or whose freedom at large would represent a danger to public safety and security. In the performance of the deportation function, the INS maintains a system of controls that ensures that every case involving an excludable alien is efficiently and correctly processed and, if necessary, the alien's removal from the country is effected promptly.

ACTIVITY: ENFORCEMENT

	Perm. Pos.	FTE	Amount
Intelligence			
1996 Appropriation Anticipated	27	25	\$3,065
1997 Base	27	25	3,157
1997 Request	27	25	3,157
Increase/Decrease	..	..	..

BASE PROGRAM DESCRIPTION:

- This program provides strategic and tactical intelligence support to INS offices enforcing the provisions of the Immigration and Nationality Act, and assists other Federal agencies in addressing national security issues. The INS' document laboratory is a critical component of the program. Intelligence support contributes to efforts aimed at preventing the entry of illegal aliens, terrorists and narcotics traffickers, and detecting fraudulent documents, alien smuggling, false claims to citizenship and other fraud.
- INS will pursue a proactive international enforcement strategy in identifying, investigating, deterring, disrupting and reducing illegal activities at their source, and at key overseas transit locations used by smugglers and mala fide aliens bound for the United States.

ACTIVITY: CITIZENSHIP AND BENEFITS

	Perm. Pos.	FTE	Amount
International Affairs			
1996 Appropriation Anticipated
1997 Base
1997 Request
Increase/Decrease

BASE PROGRAM DESCRIPTION:

- Enforcement Activities: In coordination with the Department of State, the Coast Guard, and the Department of Justice, the Office of International Affairs was an active participant in work with foreign governments in monitoring the movement of Mainland Chinese being smuggled to the U.S. and their repatriation.
- The permanent placement of INS staff at overseas locations allows the INS to establish and maintain an effective long-term working relationship with host country migration authorities, consular officers, and enforcement organizations. Through this long-term relationship of mutual trust and confidence, coupled with a working knowledge of cultural, social and economic conditions in the area, officers are able to gather intelligence information and coordinate enforcement operations which have a significant positive impact on INS domestic operations.
- Through coordination with domestic INS District Offices, Border Patrol Sectors, other U.S. Government agencies, host country governments, airline officials, and other non-government entities, INS will pursue a proactive international enforcement strategy in identifying, investigating, deterring, disrupting and reducing illegal activities at their source, and at key overseas transit locations used by smugglers and mala fide aliens bound for the United States.

ACTIVITY: IMMIGRATION SUPPORT

	Perma. Pos.	FTE	Amount
Training			
1996 Appropriation Anticipated	30	26	\$2,783
1997 Base	30	26	2,876
1997 Request	30	26	2,876
Increase/Decrease	**	**	**

BASE PROGRAM DESCRIPTION:

- The function of the Training program is to provide the staff and the resources necessary to maintain an employee development program that meets the diverse training needs of this agency's work force. Training requirements are identified annually and are revised, as needed, due to new regulations, legislation, or organization needs.

- These resources will initiate a strategic plan for the long-range career development of our journeyman employees through the use of emerging technology keyed to a distributed learning environment.
- New training technology affords the INS an opportunity to provide continuous training for all INS employees at or near their duty station to reduce travel costs. Distributed learning methodology will be utilized to reduce the INS' dependency on residential-based training. While certain requirements such as basic training, firearms and driver training, and other courses involving group interaction and practical exercises, may justify a group/residential learning environment, many learning objectives can be addressed by distributed learning packages utilizing video cassettes, workbooks, and computer-based instruction and, in certain instances, video conferences. This training can be learner-based, self-paced, ongoing, and reusable. Distributed learning technology allows for the disseminating information, increasing certain skills, and changing attitudes.

ACTIVITY: IMMIGRATION SUPPORT

	Perm. Pos.	FTE	Amount
Data and Communications Systems			
1996 Appropriation Anticipated	31	28	\$33,503
1997 Base	31	28	34,309
1997 Request	31	28	36,910
Increase/Decrease	..	..	2,601

BASE PROGRAM DESCRIPTION:

- The Data and Communications Program provides direct support for operational programs as well as administrative support functions of the Service. There are six major technology programs included under the Data and Communications Program plus the functions collectively known as Information Resources Management (IRM) Operations. The six program areas, each of which consist of one or more projects in addition to the normal operations and maintenance required for existing systems and technologies, are: 1) Infrastructure 2) Examination Systems, 3) Inspection Systems, 4) Biometric Identification Systems, 5) Corporate Information Systems, and 6) Management Systems (financial and administrative). IRM Operations includes the functions necessary to support the activities of the Data and Communications Program. Through development and implementation of these initiatives, the Service

will improve the effectiveness and efficiency of Service functions through use of automation, provide for the operation of data and communications networks, and provide radio communications, telephone call handling, intrusion detection sensors, and electronic security equipment and systems. INS automation efforts are designed to directly support efforts to control the borders of the United States, reduce incentives for unauthorized employment and benefits, and remove criminal and non-criminal aliens. In FY 1997, INS will continue to place an emphasis and priority on its role as a repository of the Nation's records on immigrants, visitors, and illegal entrants as well as on meeting the customer needs for enhanced technology services and information. A brief description of each of the six major automation programs follows.

Infrastructure

The infrastructure program will provide a standard office automation platform for all INS sites to support interoperability. The standard office automation platform was designed to provide the INS workforce with the basic office automation capabilities to effectively and efficiently communicate initiatives, share data, and produce professional products that support customer requirements. By the end of FY 1996, infrastructure will be installed and/or initiated at 235 sites (36% of INS sites). In FY 1997, INS expects to install this standard infrastructure at an additional 376 sites (the remaining 59% of INS sites). Additionally, the Service will continue its migration to router and other communications technologies as the new infrastructure is deployed.

Examination Systems

The Examination systems incorporate all individual casework-oriented subsystems that support the processing of applications and petitions for Immigration benefits and associated processes such as the production of immigration documents. These include employment authorization, asylum, resident alien processing, and citizenship through the Naturalization process. The Consolidated Linked Application Information Management System (CLAIMS) is a casework system used by the Service to receipt applications, deposit fees, and capture data through conventional data entry, 2D bar code scanning, or optical character recognition (OCR). The application is then forwarded for adjudication and the candidate is scheduled for an interview, if applicable.

In FY 1997, INS will re-engineer the CLAIMS casework processing system. INS will expand the development effort started in FY 1996 to re-engineer the Naturalization function to include additional forms and benefits. The re-engineered system will support 2D bar code scanning, use of debit and credit cards for applications fees, deployment of electronic filing, electronic submission of forms to external agencies, scanning of biometrics such as photograph and fingerprint, immediate check against the INS IDENT lookout data base, electronic access to the A-file and the development of secure, state-of-the-art, fraud resistant documents. Additionally in FY 1997, the Immigration Card Facility (ICF) will be integrated in CLAIMS resulting in streamlined production of Border Crossing Cards as well as the processing of VISA applications.

Inspection Systems

The Inspections System program supports efforts to control admissions at ports-of-entry and enhance the INS inspection function. Two major automation efforts included under this program are the Interagency Border Inspection System (IBIS) and the INS Passenger Accelerated Services System (INSPASS) and the Dedicated Commuter Lane (DCL). IBIS, a system operated jointly with the U.S. Customs Service and Departments of State and Agriculture, is used at ports-of-entry to facilitate inspection and to identify criminals. IBIS is currently installed at major air and land border ports-of-entry. INSPASS is an automated inspection system for low-risk, frequent travelers using automated inspection kiosks. This system is currently installed at several of the nation's major international airports. DCL allows border crossers already inspected by INS to use automated verification instead of manual inspection.

This program will develop and deploy machine-readable travel documents which will allow for positive identification of air travelers destined for the United States. A combination of technology and advanced production techniques will produce entry documents that are fraud resistant and easy to use. Profile scanning and a sophisticated worldwide law enforcement network will quickly and accurately identify persons of interest. Smart card technology with positive identification features will facilitate the quick and accurate inspection of low-risk, frequent land travelers. Technology will allow for improved service to the public while increasing the number of inspection hours devoted to high-risk activities.

Biometric Identification Systems

INS is developing a single fingerprint-based identification system that will enable the Service to rapidly and accurately identify persons of interest. IDENT is the current INS fingerprint-based identification subsystem that will be used by Service law enforcement and benefit systems to assist in the positive identification of persons who are arrested as well as those who apply for benefits, including the identification of travelers referred to secondary inspection processing and for automated inspection. During FY 1996, the INS began deployment of IDENT across the Southwest border. In FY 1997, INS expects to pursue implementation of this technology to expand the IDENT records storage, fingerprint matching capacity, and trends analysis for the existing installed sites along the Southwest Border as well as additional interior enforcement sites. Implementation of benefit and asylum identification will be underway.

Corporate Information Systems

This program seeks to integrate and consolidate, where appropriate, INS information and enhance records management capabilities while supporting a secure, open system environment. In FY 1997, the INS will continue efforts to re-engineer INS data repository systems to streamline access to alien information. This program will ensure that data collected is correct and will follow the same naming and attribute standards across all agency systems requiring use of the data. In FY 1997, the INS will also develop and

deploy a Common User Interface that provides a front-end to existing INS systems as a means to ensure data collection integrity and to streamline access to alien information. INS will also build imaging capability to provide electronic access to INS paper file information and for use in specific programs such as FOIL/PA. New and enhanced statistical capabilities and name search methodology will improve our corporate decision functionality.

Also under this program, the Verification Information system (VIS) will support the confirmation of an alien's immigration status, eligibility for certain entitlement benefits, and authorization to work. In FY 1996, INS plans to expand employer participation in the pilot verification program for employment eligibility from 238 employers to 1,000 employers. In FY 1997, the Service anticipates continued implementation of systems which strengthen Service efforts in the area of worksite enforcement.

Management Systems

The Management Systems program includes the development, implementation, and maintenance of financial and administrative applications providing decision support information on INS workload, manpower, and financial resources. During FY 1996, INS continued development of plans to implement a cross-servicing agreement for a new financial management system with the U.S. Geological Survey. During FY 1997, the Service plans to implement the core financial and administrative system.

Information Resource Management Operations

IRM Operations consists of the planning, policy development, acquisition management, computer security, field and program support, and management activities required to support the varied technology requirements of the Service.

ACTIVITY: IMMIGRATION SUPPORT

	Perm. Pos.	FTE	Amount
Information and Records Management			
1996 Appropriation Anticipated	36	31	\$1,692
1997 Base	36	31	1,739
1997 Request	36	31	1,739
Increase/Decrease	..	..	..

BASE PROGRAM DESCRIPTION:

- The functions of this program are to: (1) provide responses to inquiries from local, State and Federal agencies; and the various branches of government, by telephone, in-person, and in writing; (2) maintain alien records and files from which data may be readily obtained to respond to requests from both inside and outside the INS; (3) recommend guidelines, policies and procedures and responses to records requests; and (4) compile statistics for use in preparing regular and special reports about Service operations and work accomplishments.

ACTIVITY: IMMIGRATION SUPPORT

	Perm. Pos.	FTE	Amount
Construction and Engineering			
1996 Appropriation Anticipated	2	2	\$157
1997 Base	2	2	161
1997 Request	2	2	161
Increase/Decrease	..	..	..

BASE PROGRAM DESCRIPTION:

- The function of this program is to provide for the acquisition, design, construction, alteration, repair, maintenance, and management of all buildings, structures, and facilities for which the INS is the owning or leasing agency. Space is acquired through the General Services Administration (GSA), by lease, and through assignment by airport authorities. New inspection facilities are coordinated as necessary with U.S. Customs Service, Public Health Service, Department of Agriculture, GSA, State, county, local, airport, and foreign authorities.

ACTIVITY: IMMIGRATION SUPPORT

	Perm. Pos.	FTE	Amount
Legal Proceedings			
1996 Appropriation Anticipated	65	61	\$5,523
1997 Base	65	61	5,710
1997 Request	65	61	5,710
Increase/Decrease	..	..	..

BASE PROGRAM DESCRIPTION:

- INS attorneys represent the INS before Immigration Judges, the Board of Immigration Appeals, the Merit Systems Protection Board, the Equal Employment Opportunity Commission, and boards of contract appeals. The program provides litigation support in agency litigation being conducted in U.S. District Courts, Courts of Appeals, and the Supreme Court. Attorneys provide advice to the Headquarters staff and field officials on legal matters arising at all levels of agency operations associated with programs supported by the Immigration User Fee account.

ACTIVITY: PROGRAM DIRECTION

	Perm. Pos.	FTE	Amount
Management and Administration			
1996 Appropriation Anticipated	167	165	\$18,902
1997 Base	167	165	19,813
1997 Request	167	165	19,813
Increase/Decrease	..	..	..

BASE PROGRAM DESCRIPTION:

The Management and Administration program functions include:

- Providing management direction and support for the implementation and operation of regional and field activities and functions to those managers and supervisors who are responsible for and exercise authority over multiple programs;
- Executing the provisions of the Immigration and Nationality Act and related policies through the development and implementation of immigration programs and the management of resources;
- Providing for the development, implementation, direction, operation and evaluation of administrative support systems and services that meet internal operational and managerial needs and externally mandated requirements. This includes duties related to providing executive direction and control of the INS; furnishing accurate and prompt responses to Congressional and public inquiries; administering and maintaining effective budgeting and financial management systems, performing audits, conducting internal investigations, providing informational responses to frequent inquiries of GAO, OIG, OMB and Departmental offices, and developing and evaluating policies and systems to improve the effectiveness of INS programs. The major administrative functions within the program include: personnel, budget, accounting, equal employment opportunity, procurement, property management, fleet management, security and health, and other miscellaneous general services that support all programs funded by the Immigration User Fee account.

Border Facilitation & Control Initiative
User Fee Account

	Positions	Workyears	Amount (\$000's)
Inspections	198	98	\$17,620
Data and Communications	--	--	2,601
Total:	198	98	\$20,221

Proposed Actions

This proposal builds on current efforts to strengthen border facilitation and control by increasing automation and staffing at domestic and overseas airports. The following descriptions outline the proposed enhancements.

	Positions	Workyears	Amount (\$000's)
Inspections	198	98	\$17,620

Program investments of 198 position, 98 workyears, and \$17,620,000 are requested for the Inspections program in FY 1997 for the following areas:

Staffing for two new airports (30 Pos., 15 workyears, \$2,479,000)--

During FY 1997, new facilities will become fully operational at Maui and Kona, Hawaii. Analysis of travel industry statistics indicates that an additional 30 new Inspectors will be required to properly staff these facilities.

Expand Preinspection in Oahu (15 Pos., 7 workyears, \$2,492,000)--

Improved facilitation has been, and continues to be a major objective of the INS preinspection expansion effort. From a security standpoint, preinspection prevents persons who may be security threats from ever landing in the U.S. Preinspection also reduces costs for both the airlines and the U.S. that result from the need to detain and remove inadmissible aliens who are intercepted at U.S. airports.

INS will pursue the establishment of a new preinspection site in Ottawa, Canada during FY 1997. Costs include staffing (\$1,858,000), equipment (\$134,000), and IBI's infrastructure (\$500,000). Included in this request are 15 overseas Inspector positions.

Increase airport staffing to continue meeting the 45 minute standard (153 Pos., 76 workyears, \$12,649,000) --

The INS' operation of the major airport facilities under the user fee requires the effective application of staffing resources commensurate with the congressional conditions attached to the legislation. Primary among these is the general requirement to continue to fully facilitate the arrival of all passengers arriving at the major international gateways and specifically to process flights through primary inspection in less than 45 minutes. Resource levels for airports are now based on a complex staffing model developed to quantify resource levels needed to meet all operational parameters. Increases anticipated for FY 1997 would be allocated to offset both moderate nationwide traffic growth at the major locations and to allow INS to target dedicated positions to airports undergoing extensive facilities expansion. Based on the INS staffing model, the following airports require additional staff:

Eastern Region	Central Region	Western Region
Atlanta 13	Chicago 4	Honolulu 15
Baltimore 1	Dallas 4	Los Angeles 10
Boston 5	Denver 1	San Francisco 5
Cleveland 1	Houston 8	
Detroit 4	St. Paul 1	
Miami 18		
Newark 5		
New York 30		
Philadelphia 3		
San Juan 11		
Washington 14		
		TOTAL 153

	Positions	Workyears	Amount --(800000)
Data and Communications	--	--	2,601

Program investments of \$2,601,000 are requested for the Data and Communications program in FY 1997 for the following area:

Continue automation and reinvention of the inspections process (\$2,601,000) --

The requested resources will be used to complete automation of the I-94. The INS is working closely with the air travel industry to automate collection of I-94 arrival information for non-immigrants and to develop an automated method for reporting the departure of non-immigrant visitors. The requested resources will also allow INSPASS to be expanded to six major airports. As of FY 1996, funds for INSPASS have been allocated to 19 airports.

Immigration and Naturalization Service
Immigration User Fee
Financial Analysis - Program Changes
(Dollars in thousands)

Item	BORDER FACILITATION AND ENFORCEMENT				Data and		Subtotal, Border	
	Inspections		Communications		Pos.		Facil. & Enforce.	
	Pos.	Amount	Pos.	Amount	Pos.	Amount	Pos.	Amount
Grades								
GS-15.....	...	...	...	...	...	...	...	...
GS-14.....	...	...	...	...	...	...	...	...
GS-13.....	...	...	...	...	...	...	...	...
GS-12.....	...	...	...	...	...	...	...	...
GS-11.....	15	618	...	...	...	...	15	618
GS-9.....	183	86,234	...	...	...	...	183	86,234
GS-7.....	...	...	...	...	...	...	...	...
GS-6.....	...	...	...	...	...	...	...	...
GS-5.....	...	...	...	...	...	...	...	...
GS-4.....	...	...	...	...	...	...	...	...
Total Positions & Annual Rate.....	198	8,852	...	...	...	...	198	8,852
Lapse (-).....	(100)	(3,428)	...	...	...	...	(100)	(3,428)
Other than permanent.....	...	...	...	...	...	...	...	...
Other personnel compensation.....	...	...	...	...	...	...	...	...
Total workyears and personnel								
Compensation.....	98	3,428	...	...	...	...	98	3,428
Personnel Benefits.....	...	3,342	...	...	...	...	...	3,342
Travel and transportation of person	...	779	...	...	...	...	...	779
GSA Rent.....	...	1,964	...	...	...	...	...	1,964
Comm/Utilities/Miscellaneous.....	...	93	...	...	...	...	...	93
Other Services.....	...	4,635	...	...	...	...	...	4,635
Supplies and Materials.....	...	871	...	...	...	...	...	871
Equipment.....	...	2,510	...	...	...	...	...	2,510
Land & structures.....	...	...	...	2,601	...	...	...	...
Total program WY & obligations	98	17,620	...	2,601	...	...	98	20,221
charges requested, 1997.....	...	...	...	...	...	...	...	...

Immigration and Naturalization Service Immigration User Fee Priority Ranking Fiscal Year 1997			
Program	Base Program	Ranking	Program Increases Program Ranking
Inspections		1	1
Investigations		2	
Detention & Deportation		3	
Intelligence		4	
International Affairs		5	
Training		6	
Data & Communications		7	
Information & Records Mgmt		8	
Construction & Engineering		9	
Legal Proceedings		10	
Management & Administration		11	
			Border Facilitation & Control

Immigration and Naturalization Service
 Immigration User Fee
 Detail of Permanent Positions by Category
 Fiscal Years 1995 - 1997

Category	1995		1996		1997	
	Auth.	Req.	Auth.	Req.	Program Change	Request
Attorneys (805)	58	58	58	58		58
Asylum Officer (800)						
General Enforcement & Support (1800-1899)						
Detention and Deportation Officer (1801)	132	132	132	132		132
Detention Enforcement Officer (1802)	39	39	39	39		39
Criminal Investigators (1811)	83	83	83	83		83
Immigration Inspectors (1816)	2,564	2,564	2,564	2,534	198	2,732
Social Sciences, Economics and Kindred (100-199)	2	2	2	2		2
Engineering and Architecture (800-899)	2	2	2	2		2
General Administrative and Clerical (300-399)	232	232	233	233		233
Personnel Management (200-299)	49	49	49	49		49
Education Group (1700-1799)	21	21	21	21		21
Accounting and Budget (500-599)	1	1	1	1		1
Physical Sciences Group (1300-1399)						
Total	3,183	3,183	3,183	3,153	198	3,351
Washington	82	82	82	82		82
U.S. Field	2,881	2,881	2,881	2,853	183	3,038
Foreign Field	240	240	240	240		240
Total	3,183	3,183	3,183	3,153	198	3,351

Immigration and Naturalization Service
Summary of Agents Under Assignments and Support Positions
FY 1987-1987

	1986 Appropriation Anticipated				1987 Project Changes				1987 Request Level			
	Agents	Attorneys	Support	Total	Agents	Attorneys	Support	Total	Agents	Attorneys	Support	Total
Deletion Unit												
Director's Office	2,841	2,273	-	5,114	140	95	-	235	2,701	2,368	-	5,069
Admission/Processing	88	49	-	137	-	-	-	-	88	49	-	137
Customs & Border Protection	-	-	192	192	-	-	-	-	-	-	192	192
Immigration & Naturalization	-	-	27	27	-	-	-	-	-	-	27	27
Training	-	-	-	-	-	-	-	-	-	-	-	-
Detention & Removal	-	-	20	20	-	-	-	-	-	-	20	20
Immigration & Naturalization	-	-	31	31	-	-	-	-	-	-	31	31
Legal Proceedings	-	-	2	2	-	-	-	-	-	-	2	2
Management & Administration	-	-	147	147	-	-	-	-	-	-	147	147
Total	2,929	2,322	469	5,720	140	95	-	235	2,809	2,417	497	5,723

Immigration and Naturalization Service
Immigration User Fee Account
Summary of Change
(Dollars in thousands)

	Positions	Work- years	Amount
1996 Conference Allowance.....	3,183	3,083	\$351,872
Adjustments in Workyears.....	...	(238)	...
1996 Appropriation Anticipated.....	3,183	2,845	351,872
Adjustments to base:			
Streamlining.....	(30)	(3)	...
Increases:			
Annualization of 1996 positions.....	...	...	605
1997 Pay Raise.....	...	...	4,438
Annualization of 1996 pay raise.....	...	...	1,528
Annualization of 1996 locality pay adjustment.....	...	...	600
Within - grade increases (WIG).....	...	...	1,587
Foreign Allowance.....	...	...	7
Accident Compensation.....	...	...	283
Medical Hospital Service costs.....	...	...	58
Travel mileage allowance rate.....	...	...	85
Distributed Administrative Support (DAS).....	...	...	275
General pricing level adjustments.....	...	...	2,724
Total, increases.....	...	...	12,171
Increase in Estimated Fine Collections /1.....	...	...	4,400
1997 Base.....	3,153	2,842	388,443
Program Changes:			
1997 Request.....	198	98	20,221
/1 Estimated Fine Collections are estimated to be \$6,700,000 higher than in the President's budget appendix, increasing the User Fee total to \$388,664,000, from \$381,964,000.	3,351	2,940	388,664

Immigration and Naturalization Service		Work Years	Amount																				
Immigration User Fee																							
Justification of Adjustments to Base																							
(Dollars in thousands)																							
Adjustments to Base:																							
Streamlining		-3																					
Increase:																							
Annualization of Increase approved in 1996																							
This provides for the annualization of resources approved in the 1996 budget for the Inspections program. Annualization is required to provide resources for automation of the inspection process and for departure control projects.																							
<table><tr><th colspan="2">Approved 1996 Increases</th><th colspan="2">Annualization Required</th></tr><tr><td>Communications/Utilities</td><td>\$1,800</td><td>...</td><td></td></tr><tr><td>Other Services</td><td>11,846</td><td></td><td>\$606</td></tr><tr><td>Equipment</td><td>5,350</td><td></td><td></td></tr><tr><td>Total costs subject to annualization</td><td>18,996</td><td></td><td>606</td></tr></table>				Approved 1996 Increases		Annualization Required		Communications/Utilities	\$1,800	...		Other Services	11,846		\$606	Equipment	5,350			Total costs subject to annualization	18,996		606
Approved 1996 Increases		Annualization Required																					
Communications/Utilities	\$1,800	...																					
Other Services	11,846		\$606																				
Equipment	5,350																						
Total costs subject to annualization	18,996		606																				
1997 pay raise																							
This request provides for the proposed 3.0 percent pay raise to be effective in January of 1997 and is consistent with Administration policy included in the 1997 President's revised economic assumptions, January 22, 1996. The amount requested, \$4,438,000, represents the pay amounts for three-quarters of the fiscal year plus appropriate benefits (\$3,152,000 pay and \$1,286,000 benefits = \$4,438,000).																							
Annualization of 1996 pay raise																							
This pay annualization represents first quarter amounts (October through December) of the 1996 pay increase of 2.4 percent, plus appropriate personnel benefits (\$1,036,000 for pay and \$442,000 for benefits).																							

Annualization of 1996 locality cost adjustment	600
This adjustment represents the locality pay increase received in January 1996.	
Within-grade increases	1,547
This request provides for the expected increase in costs of within-grade increases. This increase is based on an accurate, dynamic model of the Department's employee population which includes numerous factors such as anticipated pay raises, adjustments to include three-year attrition/separation rates, and career ladder series to reflect promotion policy for each organization. The request includes \$1,129,000 for pay and \$418,000 for benefits.	
Foreign allowances	7
Allowances for Government employees in foreign areas are determined by the Department of State (DOS). The requested increase of \$7,000 provides a 3.1 percent increase over the obligations of \$226,000, which are projected for 1996.	
Accident Compensation	263
This increase reflects the billing provided by the Department of Labor (DOL) for the actual costs in 1995 of employees' accident compensation. The 1997 amount will be \$263,000.	
Medical Hospital Service costs	58
The Department of Health and Human Services is projecting an increase in health care costs. The Department is applying a factor of 5.5 percent against medical services. An increase of \$58,000 will be required.	
Inter-city mileage allowance rate increase	85
The mileage allowance rate has increased from 25 to 30 cents per mile. An increase of \$85,000 is requested in 1997 to cover this rate adjustment.	
Distributed Administrative Support (DAS)	275
The current Foreign Affairs Administrative Support system is being phased out in FY 1997 and will be replaced by the International Cooperative Administrative Support Services (ICASS) system. ICASS will allow for services on a cost reimbursable basis. Previously, the Department of State funded the majority of these services through its appropriations. The Department's cost will increase substantially since ICASS will work on a completely reimbursable basis. ICASS will be modeled after Working Capital Fund principles, allowing for the full accounting of the cost of each specific administrative service. An increase of \$275,000 is requested.	

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General services level adjustments.....	\$ 2,724
<p>This request applies OMB pricing guidance as of June 11, 1993, to selected expense categories. The increased costs identified result from applying a factor of 3.1 percent against those subobject classes where the prices that the Government pays are established through the market system instead of by law or regulation. Generally, the factor is applied to supplies, materials, equipment, contracts with the private sector, printing costs, transportation costs, and utilities.]</p>	
Subtotal, increases.....	12,171
Total, adjustments to the base.....	-3
	12,171

Immigration and Naturalization Service
Immigration User Fee
Summary of Requirements by Grade and Object Class
(Dollars in thousands)

Grades and Salary Ranges	1995 Actual		1998 Appropriation		1997 Request		Increase/Decrease	
	Positions & Workyears	Amount	Positions & Workyears	Amount	Positions & Workyears	Amount	Positions & Workyears	Amount
GS-14, \$53,915-76,591.....	18		18		18		...	
GS-13, \$49,856-64,914.....	52		52		52		...	
GS-12, \$41,926-54,508.....	171		171		171		...	
GS-11, \$34,981-45,475.....	34		34		34		...	
GS-9, \$28,912-37,988.....	2,594		2,594		2,732		138	
GS-7, \$23,834-30,726.....	72		72		72		...	
GS-6, \$21,266-27,650.....	156		156		156		...	
GS-5, \$17,081-24,805.....	106		106		106		...	
GS-4, \$11,055-22,176.....	6		6		6		...	
Locality Pay.....	...		...	\$2,808	...		...
1998 Pay Rate.....	...		...	3,265	...		...
1997 Pay Rate.....	...		...	...	...		...
Total positions.....	3,183	\$117,859	3,183	125,890	3,351	\$4,439	168	\$4,343
Pay above stated annual rates.....	...		...	488	...		...	9,984
Lapses.....	(418)	(19,772)	(542)	(10,102)	(615)	(12,320)	(73)	(2,218)
Savings due to lower pay scales for part of year.....	...		...	(787)	...		...	(269)
Net full-time permanent.....	2,765	98,087	2,641	115,489	2,736	123,002	95	7,513
Other than permanent:								
Other part-time and intermittent employment.....	111	5,157	204	6,937	204	7,180	...	243
Other personnel compensation:								
Overtime.....	121	4,154	127	4,849	133	5,127	6	278
Administratively uncontrollable overtime.....	24	1,199	24	1,405	24	1,430	...	25
1931 Act Overtime.....	1,166	28,249	1,160	30,998	1,161	32,151	1	1,153
Other compensation.....	7	2,478	7	4,234	7	4,240	...	6
Special personal services payments.....	...		...	71	...		...
Total workyears and personnel compensation.....	4,194	139,366	4,163	163,963	4,265	173,201	102	9,218
Average GS Salary.....		\$30,835		\$31,802		\$33,451		
Average GS Grade.....		9.0		9.0		9.0		

Immigration and Naturalization Service
Immigration User Fee
Summary of Requirements by Grade and Object Class
(Dollars in thousands)

Object Class	1995 Actual		1996 Appropriation		1997 Request	Increase/Decrease Workyears Amount		
	Workyears	Amount	Workyears	Amount				
111 Full-time permanent	2,765	\$98,087	2,841	\$115,489	2,736	\$123,002	95	\$7,513
113 Other than permanent	111	5,157	204	6,937	204	7,190	...	243
115 Other personnel compensation	1,318	36,080	1,318	41,486	1,318	42,948	...	1,462
118 Special personnel services payments	...	64	...	71	...	71	...	...
Total	4,194	139,388	4,163	163,983	4,258	173,201	95	9,218
121 Personnel benefits	...	39,373	...	47,745	...	53,716	...	5,973
130 Benefits to former personnel	...	958	...	1,185	...	1,185	...	...
210 Travel and transportation of persons	...	6,840	...	4,887	...	6,889	...	962
220 Transportation of single	...	1,495	...	871	...	588	...	15
231 GSA rent	...	5,858	...	4,823	...	6,787	...	1,964
232 Rental payments to others	...	1,198	...	1,372	...	1,423	...	51
233 Comm. utilities and misc. charges	...	3,208	...	6,819	...	6,812	...	93
240 Printing and reproduction	...	770	...	36	...	379	...	11
250 Other services	...	90,485	...	94,368	...	102,998	...	7,728
260 Supplies and materials	...	14,119	...	10,203	...	11,370	...	1,167
310 Equipment	...	8,947	...	7,086	...	12,276	...	5,190
320 Land and structures	...	430	...	...	...	...	...	...
420 Insurance claims and indemnities	...	165	...	...	...	...	...	...
440 Retiree	...	137	...	...	...	...	...	...
910 Unallocated	...	...	...	649	...	649	...	...
Obligations from fees	4,194	303,410	4,163	344,372	4,258	378,964	95	32,392
Obligations from fines	...	1,887	...	7,300	...	11,700	...	...
Total Obligations	4,194	305,297	4,163	351,872	4,258	388,664	95	36,792
Rejection of obligations to outlays	...	...	...	...	...	...	...	...
Outlays from accounts started prior	...	...	...	...	...	...	...	...
Adjustments in unexpended accounts	...	...	...	...	...	...	...	...
Outlays	...	305,297	...	351,872	...	388,664	...	...

Department of Justice
Immigration and Naturalization Service
Land Border Inspection Fee
Estimates for Fiscal Year 1997
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Immigration and Naturalization Service
Land Border Inspection Fee Account
Summary Statement
Fiscal Year 1997

The Immigration and Naturalization Service (INS) is requesting 79 positions, 98 workyears, and \$11,054,000 in the Land Border Inspection Fee account. This request represents an increase of 12 positions, 40 workyears, and \$3,089,000 from the FY 1996 enacted level of 67 positions, 58 workyears, and \$3,965,000.

The Land Border Inspection Fee account was authorized in Section 210 of the Department of Justice Appropriations Act of 1991 (P.L. 101-515). The Act authorized the Attorney General to establish, by regulation, pilot projects under which fees may be charged at one or more land border ports-of-entry to study the feasibility of charging fees to provide inspection services at land border ports-of-entry. The regulations indicate that the projects may include the establishment of commuter lanes to be made available to pre-qualified United States citizens and aliens. This provision, as amended, authorizes projects on the Northern border and limits Southern border projects to the California border only. In addition, the authorization of this account expires on September 30, 1996.

INS is currently operating sites in Blaine and Point Roberts, Washington, and in Detroit, MI (Detroit Tunnel and the Ambassador Bridge). In cooperation with Customs Service and the Department of Agriculture, INS implemented a pilot National Performance Review (NPR) site at Olay Mesa, California on November 1, 1995. The Olay Mesa pilot does not generate revenue for INS at this time; however, the Land Border Inspection Fee funding has been used for such items as personnel, overtime, equipment, and minor facility modifications.

Considerable benefits to the traveling public in the states of Arizona, New Mexico, and Texas can be derived through the use of Dedicated Commuter Lanes, as well as other means of expediting inspection traffic. With this in mind, INS also proposes that the Congress remove the remaining prohibition regarding projects on the Southwest border.

Immigration and Naturalization Service
Land Border Inspection Fee
Continuum of 1996 Changes
(Dollars in thousands)

Activity/Program	1996 President's		Congressional		Adj.		1996 Appropriation	
	Budget Request		Action on		In		Anticipated	
	Pos.	WY	Pos.	WY	WY	WY	Pos	WY
Enforcement								
Inspections	67	63	\$5,965	...	...	(5)	67	59
								\$5,965

Adjustments in Workyears. As a result of the delayed enactment of the 1996 appropriations, the capacity limits of the hiring and training systems, and the resulting delays in hiring, some workyears cannot be used in 1996 and 1997. Reprogramming of funds made available by these hiring delays will be submitted as needed.

Immigration and Naturalization Service
Land Border Inspection Fee
Summary of Requirements
(Dollars in thousands)

	1995 Actual Amount	1996 Appropriation Anticipated Amount	1997 Request Amount
Financing			
Unappropriated balance, start of year.....	\$938	\$990	\$25
Receipts.....	702	5,000	11,992
Total available for appropriation.....	1,640	5,990	12,017
Appropriation.....	(850)	(5,965)	(11,054)
Unappropriated balance available, end of year.....	890	25	963
Obligations by program			
Enforcement:			
Inspections.....	650	5,965	7,454
Immigration Support:			
Data & Communications Systems.....	..	..	2,400
Construction and Engineering.....	1,200
Subtotal.....	3,600
Total obligations.....	650	5,965	11,054

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Immigration and Naturalization Service
Land Border Inspection Fee
Summary of Resources by Program
(Dollars in thousands)

Estimates by program	1995 as Enacted			1995 Actual			1996 Appropriation			1997 Base			1997 Request			Increase/Decrease		
	Perm.	WY	Amount	Perm.	WY	Amount	Perm.	WY	Amount	Perm.	WY	Amount	Perm.	WY	Amount	Perm.	WY	Amount
1. Enforcement																		
Inspection.....	30	1,504		12	860		58	6,866	87	82	6,806	79	88	97,454	12	6	6,548	
2. Immigration Support																		
Data & Comm. Systems.....																		
Control & Engineering.....																		
Subtotal.....																		
Total.....	30	1,504		12	860		58	6,866	87	82	6,806	79	88	11,064	12	6	4,148	
Other Workyears:																		
Overhead.....	3			1			10		21				21					
Total compensable workyears.....	33			13			68		113				119					

**Immigration and Naturalization Service
Land Border Inspection Fee
Program Performance Information
(Dollars in Thousands)**

Section 210 of the Department of Justice Appropriations Act of 1991 (P.L. 101-515) authorizes the Attorney General to establish, by regulation, pilot projects under which fees may be charged at one or more land border ports-of-entry (POEs). The regulations indicate that the projects may include the establishment of commuter lanes to be made available to pre-qualified United States citizens and aliens.

The Immigration and Naturalization Service (INS) is operating Dedicated Commuter Lanes (DCL) at sites in Blaine and Point Roberts, Washington and at the Detroit Tunnel and the Ambassador Bridge in Michigan. The first DCL on the Southern border opened in Ouy Mesa, California, in October of 1995. Fees collected at the DCLs have been used for such items as personnel, overtime, equipment, and minor facility modifications.

The original authorization for the Land Border Inspection Fee Project terminated on September 30, 1993. The Department of Justice Appropriations Act, 1994 (P.L. 103-121) extended the Land Border Fee Pilot Project to September 30, 1996 for projects on the Northern border of the United States only. In conjunction with action taken on the FY 1995 budget request, the Congress changed this prohibition to allow the INS to implement projects on the California/Mexico border. INS is requesting that the Land Border Inspection Fee project be extended indefinitely beginning in Fiscal Year 1997.

Considerable benefit to the traveling public in the States of Arizona, New Mexico, and Texas can be derived through the use of dedicated commuter lanes as well as other means of expediting inspection traffic. In view this, the Administration is proposing that the Congress remove the remaining prohibition regarding projects on the Southwest border.

ACTIVITY: ENFORCEMENT

	Perma. Pos.	FTE	Amount
Inspections			
1996 Appropriation Anticipated	67	58	\$5,965
1997 Base	67	92	6,995
1997 Request	72	98	7,454
Increase/Decrease	12	6	549

BASE PROGRAM DESCRIPTION:

- The Land Border Inspection Fee program is a pilot project under which the Attorney General is authorized to charge a fee at one or more land border POEs. The program is designed to study the feasibility of charging fees for inspection services at land border POEs. The projects may include the establishment of commuter lanes to be made available to pre-qualified United States citizens and aliens.
- This program enables low-risk, frequent border crossers who apply and are approved for participation in the program to transit the border through a specific vehicle traffic lane with an abbreviated inspection process (currently, a windshield decal and visual inspection). The INS has successfully operated a DCL project in Blaine, WA since 1991.
- Another similar program, the Automated Permit Port (APP) program, will allow the entry of pre-screened local border residents through selected Northern border POEs by means of an automated access system during periods when the port is closed to general traffic. The program would be utilized at low-volume, limited-hour, low-risk locations on the Northern border, using different forms of automated technology (such as voice verification systems, video inspections systems, card access systems, hand geometry, or other forms of biometrics) depending on specific location requirements. The use of automation will extend POE hours of operation for selected border crossers. The INS is well along in instituting the first APP at Scobey, MT. The construction and testing of the APP was completed on February 7, 1995.

ACTIVITY: IMMIGRATION SUPPORT

	Perm. Pos.	FTE	Amount
Data & Comm. Systems			
1996 Appropriation Anticipated
1997 Base
1997 Request	\$2,400
Increase/Decrease	2,400
Const. & Engineering	Perm. Pos.	FTE	Amount
1996 Appropriation Anticipated
1997 Base
1997 Request	\$1,200
Increase/Decrease	1,200

**Border Facilitation and Control Initiative
Land Border Inspection Fee Account**

	Positions	Workyears	Amount (\$000's)
Inspections	12	6	\$ 549
Data and Communications	--	--	2,400
Construction and Engineering	--	--	1,200
Total:	12	6	\$ 4,149

Proposed Actions

This proposal builds on current efforts to strengthen border facilitation and control by expanding the use of Dedicated Commuter Lanes (DCLs). DCLs enables pre-approved low-risk, frequent border crossers to cross the border via a specific vehicle traffic lane with that makes use of an abbreviated inspection. The implementation of five new DCL sites will begin during FY 1997. The sites, funded through fees, will facilitate legal commuter traffic flow while enabling existing staff to devote a greater percentage of primary lane hours to both the processing of general traffic and enforcement priorities. Sites include locations in Arizona and Texas presuming that the legislative proposal to remove the current statutory prohibition on Southern border sites is enacted.

	Positions	Workyears	Amount (\$000's)
Inspections	12	6	\$ 549

Increase land border POE staffing (12 Positions, 6 workyears, \$549,000) --

To meet the overall goal of facilitating the flow of low-risk traffic while intensifying the inspection of high risk traffic, INS requests 12 positions at the proposed five new DCL sites. Additional data entry clerks at DCL sites are necessary to supplement the existing staff who continue to facilitate general port operations. These positions will be funded as fees are collected from the issuance of DCL decals.

Site	Account	Funding
Blaine, WA	Land	FY 1991
Point Roberts, WA	Land	FY 1994
Detroit Tunnel, MI	Land	FY 1994
Ambassador Bridge, MI	Land	FY 1994
Ory Mesa, CA	Land	FY 1995
Niagara Falls, NY	Land	FY 1996
Masena, NY	Land	FY 1996
Thousand Islands, NY	Land	FY 1996
Derby Line, VT	Land	FY 1996
Hoatton, ME	Land	FY 1996
Calverton, CA	Land	FY 1996
San Ysidro, CA	Land	FY 1996
El Paso, TX	Land	FY 1997
Laredo, TX	Land	FY 1997
Hidalgo, TX	Land	FY 1997
Nogales, AZ	Land	FY 1997
San Luis, AZ	Land	FY 1997

	Positions	Workyears	Amount \$(000s)
Data and Communications	--	--	\$ 2,400

Program investments of \$2,400,000 are requested for Data and Communications for FY 1997 for the following areas:

Expand SENTRI system at DCL sites (\$2,400,000) - -

With INS' expansion of the DCL program to additional Southern border sites, improvements to the SENTRI system are essential for INS security and customer service. Pending will allow for developments to increase data processing speed, allow for greater ease of usage at the POBs, and permit new testing of the communications network and security system at Otay Mesa, CA. In addition, INS intends to test the SENTRI system at larger Northern and Southern ports, which have greater volumes of travelers, coordinating with improvements in biometrics for use in these new environments.

	Positions	Workyears	Amount \$(000s)
Construction and Engineering	--	--	\$ 1,200

Program investments of \$1,200,000 are requested for Construction and Engineering for FY 1997 for the following areas:

Accommodate POBs for additional DCL lanes (\$1,200,000) - -

In order to establish a DCL lane at land border ports, INS must make modifications to the roads, primary booths, and secondary areas already in existence. For each of the five proposed DCL sites, construction costs include enlargement of the secondary area for an enrollment center; expansion of the queuing area and lane to accommodate automation; security enhancements such as bollards, tire deflators, and Jersey barriers; and the necessary signage to direct vehicles to the appropriate lanes.

Immigration and Naturalization Service
Land Border Inspection Fee

BORDER FACILITATION AND ENFORCEMENT									
Item	Inspections		Data and Communications		Construction and Engineering		Subtotal, Border Facility & Enforce.		
	Pos.	Amount	Pos.	Amount	Pos.	Amount	Pos.	Amount	
Grades									
GS-15									
GS-14									
GS-13									
GS-12									
GS-11									
GS-9									
GS-7									
GS-6									
GS-5	12	270					12	270	
GS-4									
Total Positions & Annual Rate	12	270					12	270	
Lapses (-)	(6)	(135)					(6)	(135)	
Other than permanent									
Other personnel compensation									
Total workyears and personnel compensation	6	135					6	135	
Personnel Benefits		40						40	
Travel and transportation of persons		104						1,304	
GSA Rent		6				1,200		1,304	
Comm/Utilities/Miscellaneous		6						6	
Other Services		102						102	
Supplies and Materials		10						10	
Equipment		152						2,552	
Land & structures				2,400					
Total program WY & obligations changes requested, 1997	6	549		2,400		1,200	6	4,149	

Immigration and Naturalization Service Land Border Inspections Fee Priority Ranking Fiscal Year 1997			
Program	Base Program	Initiative	Program Increases
Inspections	Ranking	Ranking	Ranking
	1		1
		Border Facilitation and Control	

Immigration and Naturalization Service
Land Border Inspection Fee
Detail of Permanent Positions by Category
Fiscal Years 1995 - 1997

Category	1995		1996		1997	
	Auth.		Auth.		Program Increases	Request
Immigration Inspectors (1816).....				67		67
General Administrative and Clerical (300-399).....				67	12	12
Total.....				67	12	79
U.S. Field.....				67	12	79
Total.....				67	12	79

Immigration and Naturalization Service
Last Border Inspection Fee
Summary of Agent Positions and Support Positions
FY 1993 1993

	1993 Appropriation Anticipated			1993 Program Changes			1993 Request Level			Total		
	Agents	Admin	Support	Agents	Admin	Support	Agents	Admin	Support	Pos	FTE	Pos
Decision Unit	07	01	01	07	01	01	07	01	01	15	10	15
Inspection	07	01	01	07	01	01	07	01	01	15	10	15
Border Patrol	07	01	01	07	01	01	07	01	01	15	10	15
Immigration	07	01	01	07	01	01	07	01	01	15	10	15
Customs & Disposition	07	01	01	07	01	01	07	01	01	15	10	15
Intelligence	07	01	01	07	01	01	07	01	01	15	10	15
Administrative & Information	07	01	01	07	01	01	07	01	01	15	10	15
Training	07	01	01	07	01	01	07	01	01	15	10	15
Office of the Chief of Border Patrol	07	01	01	07	01	01	07	01	01	15	10	15
Information Systems	07	01	01	07	01	01	07	01	01	15	10	15
Consular Affairs	07	01	01	07	01	01	07	01	01	15	10	15
Legal Services	07	01	01	07	01	01	07	01	01	15	10	15
Management & Administration	07	01	01	07	01	01	07	01	01	15	10	15
Total	07	01	01	07	01	01	07	01	01	15	10	15

Immigration and Naturalization Service
Land Border Inspection Fee
Summary of Change
(Dollars in thousands)

	Positions	Work- years	Amount
1996 Conference Allowance.....	67	63	\$5,965
Adjustments in Workyears.....	..	(5)	..
1996 Appropriation Anticipated.....	67	58	5,965
Adjustments to base:			
Increases:			
Annualization of 67 positions approved in 1996.....	..	34	845
1997 Pay raise.....	..	..	35
Annualization of 1996 pay raise.....	..	..	5
Annualization of 1996 locality pay adjustment.....	..	..	12
Within - grade increases.....	..	..	27
Travel mileage allowance rate increase.....	..	..	1
General pricing level adjustments.....	..	..	15
Total, increases.....	..	34	940
1997 Base.....	67	92	6,905
Program Changes.....	12	6	4,149
1997 Request.....	79	98	11,054

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Immigration and Naturalization Service
Land Border Inspection Fee
Justification of Adjustments to Base
(Dollars in thousands)

Work
Years Amount

Adjustments to Base:

Increases:

Annualization of 67 additional positions approved in 1996
This provides for the annualization of 67 additional positions approved in 1996 for the Inspections program.

34

\$845

Approved Annualization
1996 Increases Required

Annual salary rate of approved positions..... \$2,032 \$1,108
Other personnel compensation..... 298 .509
Leas Lapse (50%)..... (1,026)
Net Compensation..... 1,324 1,617
Associated employee benefits..... 317 333
Travel..... 127 68
GSA Rent..... 483 (114)
Communications/Utilities..... 32 32
Other Services..... 585 (125)
Supplies/Materials..... 70 70
Equipment..... 1,382 (1,036)
Total costs subject to annualization 4,320 845

35

1997 pay raise.....
This request provides for the proposed 3.0 percent pay raise to be effective in January of 1997 and is consistent with Administration policy included in the 1997 Payback revised economic assumptions, January 22, 1996. The amount requested, \$35,000, represents the pay amounts for three-quarters of the fiscal year plus appropriate benefits (\$28,000 pay and \$7,000 benefits = \$35,000).

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Annualization of 1996 pay raise.....
This pay annualization represents first quarter amounts (October through December) of the 1996 pay increase of 2.4 percent plus appropriate personnel benefits (\$10,000 for pay and \$2,000 for benefits).

Annualization of 1996 locality pay adjustments.....	
This adjustment represents the locality pay increase received January 1996.	
27	
Within-grade increases.....	
This request provides for the expected increase in costs of within-grade increases. This increase is based on an accurate, dynamic model of the Department's employee population which includes numerous factors such as anticipated pay raises, adjustments to include three-year attrition/separation rates, and career ladder series to reflect promotion policy for each organization. The request includes \$22,000 for pay and \$5,000 for benefits.	
1	
Travel/mileage allowance rate increase.....	
The mileage allowance rate has increased from 25 to 30 cents per mile. An increase of \$1,000 is requested in 1997 to cover this rate adjustment.	
15	
General pricing level adjustments.....	
This request applies OMB pricing guidance as of June 11, 1995, to selected expense categories. The increased costs identified result from applying a factor of 3.1 percent against those subobject clauses where the prices that the Government pays are established through the market system instead of by law or regulation. Generally, the factor is applied to supplies, materials, equipment, contracts with the private sector, printing costs, transportation costs, and utilities.	
34	940
Total, adjustments to the base.....	

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Immigration and Naturalization Service
Land Border Inspection Fee
Summary of Requirements by Grade and Object Class
(Dollars in thousands)

Grades and Salary Ranges	1995 Actual		1996 Estimate		1997 Request		Increase/Decrease	
	Positions & Workyears	Amount	Positions & Workyears	Amount	Positions & Workyears	Amount	Positions & Workyears	Amount
GS-9, \$28,912-37,558	67	..	67	..	..	..
GS-5, \$19,081-24,805	12	..	12	..
Locality Pay	\$4	..	\$4	..	..
1996 Pay Raise	10	..	\$10
1997 Pay Raise	37	..	37
Total, appropriated positions	67	2,201	79	2,818	12	417
Pay above stated annual rates	8	..	10	..	2
Leaves	(39)	(1,106)	(11)	(242)	28	866
Savings due to lower pay scales for part of year	68	2,377	40	1,276
Net, full-time permanent	28	1,101	..	..	..	..
Other than permanent
Temporary employment	12	\$243	30	527	30	542	..	15
Other personnel compensation
Overtime	1	71	10	507	21	1,032	11	525
Total, workyears & personnel compensation	13	314	68	2,135	119	3,951	51	1,816
Average GS Salary	\$34,429	..	\$33,096	..	..
Average GS Grade	9.4	..	8.3	..	..

Immigration and Naturalization Service
Land Border Inspection Fee
Summary of Requirements by Grade and Object Class
(Dollars in thousands)

Object Class	1995 Actual Workyears	1995 Actual Amount	1996 Estimate Workyears	1996 Estimate Amount	1997 Request Workyears	1997 Request Amount	Increase/Decrease Workyears	Increase/Decrease Amount
11.1 Full-time permanent.....	...		28	\$1,101	68	\$2,377	40	\$1,276
11.3 Other than permanent:								
Other part-time and intermittent employment.....	12	\$243	30	527	30	542	...	15
11.5 Other personnel compensation:								
Overtime.....	1	71	10	507	21	1,032	11	525
Total workyears and personnel compensation.....	13	314	68	2,135	119	3,951	51	1,816
12.1 Personnel benefits.....		73		509		897		388
21.0 Travel.....		10		164		233		69
22.0 Transportation of things.....		1		3		3		...
23.1 GSA rent.....		...		483		1,673		1,190
23.2 Rental payments to others.....		5		23		23		...
23.3 Communications, utilities.....		2		33		71		38
24.0 Printing.....		4		22		22		(16)
25.0 Other services.....		128		860		844		87
26.0 Supplies and materials.....		44		180		287		1,517
31.0 Equipment.....		69		1,553		3,070		5,089
Total obligations.....	13	650	68	5,965	119	11,054	51	
Relation of obligations to outlays:								
Obligations.....		650		5,965		11,054		
Outlays.....		650		5,965		11,054		

Department of Justice
Immigration and Naturalization Service
Breached Bond/Detention Fund
Estimates for Fiscal Year 1997
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Immigration and Naturalization Service

Breached Bond/Detention Fund
Summary Statement
Fiscal Year 1997

The Immigration and Naturalization Service (INS) requests a total of 48 positions, 39 workyears, and \$6,613,000 for the Breached Bond/Detention Fund for FY 1997. This request represents an increase of \$151,000 over the FY 1996 level of 48 positions, 39 workyears, and \$6,358,000. There are no enhancement requests for the Breached Bond/Detention Fund for FY 1997.

The Breached Bond/Detention Fund was authorized in Section 112 of the Department of Justice Appropriations Act of 1993 (P.L. 102-395). The Act amends Section 286 of the Immigration and Nationality Act of 1952, as amended, by establishing in the General Fund of the Treasury a separate account known as the Breached Bond/Detention Fund. All breached cash and surety bonds in excess of \$8,000,000, posted under the Immigration and Nationality Act of 1952, as amended, which are recovered by the Department of Justice are deposited as offsetting receipts into the Fund. Amounts deposited into the Fund remain available to INS, until expended, for expenses incurred in the collection of breached bonds and for expenses associated with the detention of illegal aliens.

The INS uses immigration delivery and exclusion bonds as a means of ensuring that illegal aliens appear at deportation and exclusion hearings. Aliens in the custody of INS may be released on their own recognizance or through the posting of delivery bonds, which are either cash or surety bonds (and a limited number of Treasury bonds or notes). These bonds become contracts between INS and persons acting on the behalf of aliens (obligors) who promise their appearances. Under a cash bond, an obligor deposits the entire amount in cash to INS. If the alien fails to appear as scheduled, the bond is breached and the Government retains the amount of the posted bond. Under a surety bond, the surety (insurance) company guarantees the amount of the bond and if the alien fails to appear as required, the surety is liable to INS for the breached bond amount.

The authorization for INS to retain these services has provided the agency with the means to effect improvements in bond processing and debt management. In FY 1997, resources from the Breached Bond/Detention Fund will be used to support the detention of criminal and illegal aliens, to continue bond management and collection activities, to support the use of litigation to obtain compliance from surety companies found delinquent in meeting their obligations to INS, and to continue the operation of automated systems to support these activities.

Immigration and Naturalization Service
Breach Bond/Defention Fund
Crosswalk of 1996 Changes
(Dollars in thousands)

Activity/Program	1996 President's Budget Request			Congressional Appropriation Action on 1996 Request			Adj. in WY		1996 Appropriation Anticipated		
	Pos.	WY	Amt.	Pos.	WY	Amt.	WY	WY	Pos.	WY	Amt.
1. Enforcement:											
a. Detention and Deportation.....	32	32	\$2,309	...	...	...	(9)	32	23	32	\$2,309
2. Immigration Support:											
a. Legal Proceedings.....	4	4	378	...	...	...	...	4	4	4	378
3. Program Direction:											
a. Management and Administration.....	12	12	3,671	...	...	...	...	12	12	12	3,671
Total.....	48	48	6,358	...	...	...	(9)	48	39	48	6,358

Adjustments in Workyears. As a result of the delayed enactment of the 1996 appropriations, the capacity limits of the hiring and training systems, and the resulting delays in hiring, some workyears cannot be used in 1996 and 1997. Reprogrammings of funds made available by these hiring delays will be submitted as needed.

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Immigration and Naturalization Service
Breach Bond/Detention Fund
Summary of Requirements
(Dollars in thousands)

Adjustments to base:	Perm. Pos.	Work- years	Amount
1996 Conference Action.....	48	48	\$6,358
Adjustments in Workyears.....	..	(8)	..
1996 Appropriation Anticipated.....	48	39	\$6,358
Increases (automatic, non-policy).....	255
1997 Base.....	48	39	6,613
Program Changes.....
1997 Request.....	48	39	6,613

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	1996 Appropriation Anticipated			1997 Base			1997 Request			Increase/Decrease		
Estimates by budget activity	Perm. Pos.	WY	Amount	Perm. Pos.	WY	Amount	Perm. Pos.	WY	Amount	Perm. Pos.	WY	Amount
1. Enforcement.....	32	23	\$2,398	32	23	\$2,398	32	23	\$2,398	..	..	..
2. Immigration Support.....	4	4	378	4	4	383	4	4	383	..	..	..
3. Program Direction.....	12	12	3,871	12	12	3,822	12	12	3,822	..	..	..
Total.....	48	39	6,358	48	39	6,613	48	39	6,613	..	..	..

Immigration and Naturalization Service
Breach Bond/Detention Fund
Summary of Requirements
(Dollars in thousands)

	1995 Actual	1996 Appropriation Anticipated	1997 Request
Financing			
Unappropriated balance, start of year.....	\$4,328	\$7,950	\$4,892
Collections.....	18,867	11,300	14,400
Total available for appropriation.....	23,195	19,250	19,292
Transfer to the General Fund of the U.S. Treasury...	(8,000)	(8,000)	(8,000)
Available receipts.....	15,195	11,250	11,292
Appropriation.....	(7,245)	(6,358)	(6,613)
Unappropriated balance available, end of year.....	7,950	4,892	4,879
Obligations.....	7,245	6,358	6,613
Recovery of prior years obligations.....	0	0	0
Requirement.....	7,245	6,358	6,613
Obligations by program			
Enforcement:			
Detention and Deportation.....	5,747	2,309	2,398
Immigration Support:			
Legal Proceedings.....	233	378	393
Program Direction:			
Management and Administration.....	1,265	3,671	3,822
Total obligations.....	7,245	6,358	6,613

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Immigration and Naturalization Service Branched Bond/Oleision Fund Summary of Resources by Program (Dollars in thousands)																		
	1995 As Enacted			1995 Actual			1996 Appropriation Anticipated			1997 Base			1997 Request			Increase/Decrease		
	Pos.	WY	AmL	Pos.	WY	AmL	Pos.	WY	AmL	Pos.	WY	AmL	Pos.	WY	AmL	Pos.	WY	AmL
Estimates by program																		
Enforcement																		
Detention and Deportation	32	32	\$6,123	32	...	\$5,747	32	23	\$2,308	32	23	\$2,398	32	23	\$2,398	...	...	...
Immigration Support:																		
Legal Proceedings	4	4	294	4	3	233	4	4	378	4	4	393	4	4	393	...	...	...
Program Direction:																		
Management and Administration	12	12	1,942	12	11	1,265	12	12	3,871	12	12	3,822	12	12	3,822	...	...	...
Total obligations	48	48	7,959	48	14	7,245	48	39	6,366	48	39	6,613	48	39	6,613	...	...	...
Other workyears:																		
Overtime	6	6		6	6		6	6		6	6		6	6		...	...	...
Total compensable workyears	54	54		20	45		45	45		45	45		45	45		...	...	...

Immigration and Naturalization Service
Breach Bond/Detention Fund
Program Performance Information
(Dollars in Thousands)

The Breach Bond/Detention Fund was authorized in Section 112 of the Department of Justice Appropriations Act, 1993 (P.L. 102-395). The Act amends Section 286 of the Immigration and Nationality Act of 1952, as amended, by establishing in the General Fund of the Treasury a separate account known as the Breach Bond/Detention Fund. All breach cash and surety bonds, in excess of \$8,000,000, posted under the Immigration and Nationality Act of 1952, as amended, which are recovered by the Department of Justice are deposited as offsetting receipts into the Fund. Amounts deposited into the Fund remain available, until expended, to the Immigration and Naturalization Service (INS) for expenses incurred in the collection of breach bonds and for expenses associated with the detention of illegal aliens.

INS uses immigration delivery and exclusion bonds as a means of ensuring that illegal aliens appear at deportation and exclusion hearings. Aliens in custody of INS may be released on their own recognizance or through the posting of delivery bonds, which are either cash or surety bonds (and limited number of Treasury bonds or notes). These bonds become contracts between INS and persons acting on aliens' behalf (obligors) who promise their appearances. Under a cash bond, an obligor deposits the entire amount in cash with INS. If the alien fails to appear as scheduled, the bond is breach and the Government retains the amount of the posted bond. Under a surety bond, the surety (insurance) company guarantees the amount of the bond and if the alien fails to appear as required, the surety is liable to INS for the breach bond amount.

The authorization for the INS to retain these resources has provided the agency with the means to effect improvements in bond processing and debt management. In 1997, resources will be used to support the detention of criminal and illegal aliens, to continue bond management and collection activities, to support the use of litigation to obtain compliance from surety companies found delinquent in meeting their responsibilities to the INS, and to continue the operation of automated systems to support these activities.

ACTIVITY: ENFORCEMENT

	Perm. Pos.	FTE	Amount
Detention and Deportation			
1996 Appropriation Anticipated	32	23	\$2,309
1997 Base	32	23	2,398
1997 Request	32	23	2,398
Increase/Decrease	..	..	..

BASE PROGRAM DESCRIPTION:

- Detention and Deportation program personnel, located in INS field offices, process all required documents needed to issue cash or surety bonds to permit the release of aliens in deportation or exclusion proceedings. These personnel are also responsible for reviewing aliens' files and taking appropriate actions to cancel bonds when their provisions have been satisfied and to breach bonds in the event that the aliens do not appear as required.

ACTIVITY: IMMIGRATION SUPPORT

	Perm. Pos.	FTE	Amount
Legal Proceedings			
1996 Appropriation Anticipated	4	4	\$378
1997 Base	4	4	393
1997 Request	4	4	393
Increase/Decrease	..	..	..

BASE PROGRAM DESCRIPTION:

- In debt collection actions, attorneys represent the INS in the courts in litigation being conducted against all parties found delinquent in meeting their financial responsibilities to the Federal government. These attorneys undertake significant legal actions to collect sizeable debts from surety companies who issue immigration delivery and exclusion bonds.

ACTIVITY: PROGRAM DIRECTION

	Perm. Pos.	FTE	Amount
Management and Administration			
1996 Appropriation Anticipated	12	12	\$3,671
1997 Base	12	12	3,822
1997 Request	12	12	3,822
Increase/Decrease	..	..	..

BASE PROGRAM DESCRIPTION:

The function of the Management and Administration program is to direct implementation of INS-wide policy as it relates to collection of breached bonds and ensure its effective and uniform application; establish a system to track, report, and bill breached surety bonds posted by aliens; and continue improvements in the forfeiture and collection process to allow increased resources to be directed toward the detention of criminal and other illegal aliens.

Immigration and Naturalization Service
Breached Bond/Detention Fund
Priority Ranking
Fiscal Year 1997

Program	Base Program	Ranking
Detention and Deportation		1
Legal Proceedings		2
Management and Administration		3

Immigration and Naturalization Service
Breach Bond/Detention Fund
Detail of Permanent Positions by Category
Fiscal Years 1995 - 1997

Category	1995 Auth.	1996 Auth.	1997 Request
Attorneys (905)	2	2	2
Paralegal Specialists (950)	2	2	2
Detention and Deportation Officer (1801)	16	16	16
General Administrative and Clerical (300-399)	16	16	16
Accounting and Budget (500-599)	12	12	12
Total	48	48	48
Washington	16	16	16
U.S. Field	32	32	32
Total	48	48	48

Immigration and Naturalization Service
Breached Bond/Overseas Fund
Summary of Agents and/or Attorneys and Support Positions
FY 1996-1997

Decision Unit	1988 Appropriation			1989 Budget			1990 Requested			Total		
	Agents	Managers	Support	Agents	Managers	Support	Agents	Managers	Support	Agents	Managers	Support
Industrial Plant												
Investment												
Development & Cooperation												
Intelligence												
Acquisition & Militarization												
Training												
Other & Cash												
Business												
Legal												
Cost & Engineering												
Procurement												
Management & Administration												
Total	32	23	32	32	23	32	32	23	32	32	23	32

Immigration and Naturalization Service
Breached Bond/Detention Fund
Summary of Change
(Dollars in thousands)

	Positions	Work- years	Amount
1996 Conference Allowance.....	48	48	\$6,358
Adjustments in Workyears.....	"	(9)	"
1996 Appropriation Anticipated.....	48	39	6,358
Adjustments to base:			
Increases:			
1997 Pay raise.....	"	"	59
Annualization of 1996 pay raise.....	"	"	21
Annualization of 1996 locality pay adjustment.....	"	"	8
Within - grade increases.....	"	"	26
Medical Hospital Service costs.....	"	"	9
General pricing level adjustments.....	"	"	132
Total, increases.....	"	"	255
1997 Base.....	48	39	6,613
Program Changes.....	"	"	"
1997 Request.....	48	39	6,613

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**Immigration and Naturalization Service
Proposed Budget Deviation Fund
Justification of Adjustments to Base
(Dollars in thousands)**

Adjustments to Base:	Work Years	Amount
Increases:		
1997 pay raise This request provides for the proposed 3.0 percent pay raise to be effective in January of 1997 and is consistent with Administration policy included in the 1997 President's revised economic assumptions, January 22, 1996. The amount requested, \$59,000, represents the pay amounts for three-quarters of the fiscal year plus appropriate benefits (\$44,000 pay and \$15,000 benefits = \$59,000).	...	\$59
Annualization of 1996 pay raise This pay annualization represents first quarter amounts (October through December) of the 1996 pay increase of 2.4 percent, plus appropriate personnel benefits (\$17,000 for pay and \$4,000 for benefits).	...	21
Annualization of 1995 locality pay adjustment This adjustment represents the locality pay increase received January 1996.	...	8
Within-grade increases This request provides for the expected increase in costs of within-grade increases. This increase is based on an accurate, dynamic model of the Department's employee population which includes numerous factors such as anticipated pay raises, adjustments to include three-year attrition/separation rates, and career ladder series to reflect promotion policy for each organization. The request includes \$20,000 for pay and \$4,000 for benefits.	...	26
Medical Hospital Services costs The Department of Health and Human Services is projecting an increase in health care costs. The Department is applying a factor of 5.3 percent against medical services. An increase of \$9,000 will be required.	...	\$9

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General pricing level adjustments.....	\$132
<p>This request applies OMB pricing guidance as of June 11, 1993, to selected expense categories. The increased costs identified result from applying a factor of 3.1 percent against those subject classes where the price that the Government pays are established through the market system instead of by law or regulation. Generally, the factor is applied to supplies, materials, equipment, contracts with the private sector, printing costs, transportation costs, and utilities.</p>	
Total, adjustments to the base.....	255

Immigration and Naturalization Service
Breach Bond/Deletion Fund
Summary of Requirements by Grade and Object Class
(Dollars in thousands)

Grades and Salary Ranges	1995 Actual		1996 Estimate		1997 Request		Increase/Decrease	
	Position & Workyears	Amount	Position & Workyears	Amount	Position & Workyears	Amount	Position & Workyears	Amount
GS-14, \$58,915-78,591.....	2		2		2			
GS-13, \$49,856-64,814.....	12		12		12			
GS-12, \$41,926-54,506.....	16		16		16			
GS-9, \$28,912-37,588.....	2		2		2			
GS-6, \$21,269-27,660.....	16		16		16			
Locality Pay.....		\$12		\$12		\$12		
1996 Pay Raise.....				47		47		
1997 Pay Raise.....				59		59		
Total, positions.....	48	2,030	48	2,123	48	2,203		\$90
Pay above stated annual rates.....	(34)			8		9		1
Lapses.....				(9)		(16)		(3)
Savings due to lower pay scales for part of year.....				(12)				78
Net full-time permanent.....	14	562	39	2,119	39	2,197		
Other personnel compensation:								
Overtime.....	6	14	6	204	6	213		9
Total, workyears and personnel compensation.....	20	606	45	2,323	45	2,410		87
Average GS Salary.....		\$42,291		\$44,229		\$46,291		
Average GS Grade.....		11.6		11.6		11.6		

Immigration and Naturalization Service
Breach of Bond/Overlook Fund
Summary of Requirements by Grade and Object Class
(Dollars in thousands)

Object Class	1995 Actual		1996 Estimate		1997 Request		Increase/Decrease	
	Workyears	Amount	Workyears	Amount	Workyears	Amount	Workyears	Amount
11.1 Full-time permanent.....	14	6592	39	\$2,119	39	\$2,187	25	\$78
11.5 Other personnel compensation:								
Overtime.....	6	14	6	204	6	213	0	213
Total, workyears and personnel compensation.....	20	608	45	2,323	45	2,410	25	87
12 Personnel benefits.....		129		802		829		27
21 Travel and transportation of persons.....		495		71		71		0
22 Transportation of things.....		11		...		...		...
23.1 GSA rent.....		...		...		...		...
23.3 Communications, utilities and miscellaneous		...		...		...		...
Postage.....		14		32		32		0
Printing.....		...		...		...		...
Other services.....		4,801		2,877		3,095		138
26 Supplies and materials.....		819		106		110		2
31 Equipment.....		280		85		86		1
42 Incur Civil Indemn.....		56		...		...		...
44 Refunds.....		32		...		...		...
Total obligations.....	20	7,245	45	6,358	45	6,613	25	255
Relation of obligations to outlays:								
Total obligations.....		7,245		6,358		6,613		255
Recovery of prior years obligations.....		...		...		...		...
Outlays.....		7,245		6,358		6,613		255

Department of Justice
 Immigration and Naturalization Service
Immigration Examination Fee
Estimates for Fiscal Year 1997
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Immigration and Naturalization Service

Immigration Examinations Fee Summary Statement Fiscal Year 1997

The Immigration and Naturalization Service is requesting 4,493 positions, 3,999 workyears, and \$311,061,000 in the Immigration Examination Fee account. Due to a FY 1996 reprogramming that contained a significant amount of one time costs, this request represents an increase of 231 positions, 301 workyears, and \$25,538,000 from the FY 1996 enacted appropriation. This request includes an increase of \$23,000,000 over the FY 1997 base program and will allow INS to exceed the projected goals of attaining currency with Naturalization and 245(i) Adjustment of Status applications. Also, this initiative will allow INS to continue funding in FY 1997 of a Records support contract in the Service Centers and District offices.

The Immigration Examinations Fee account was established in the Department of Justice Appropriations Act of 1989 (P.L. 100-459), Section 209 of the Act amends 8 U.S.C. 1356 by establishing a separate account into which the Attorney General may deposit adjudication fees collected under the regulations governing INS. All deposits to the account are paid out of this appropriation for expenses in providing immigration adjudication and naturalization services. The resources are to be made available for: adjudication of applications and petitions for benefits under the Immigration and Nationality Act; asylum, refugee, parole and overseas activities; adjudication-related work performed in other INS and non-INS programs; and the necessary support for all of these activities.

In action taken on the Appropriation for FY 1995, the Congress amended Section 245 of the Immigration and Nationality Act to allow certain categories of aliens to adjust their status in the United States upon payment of fees for this benefit. The provision has resulted in an increased workload as well as an increase in resources available to INS for processing these and other applications for immigration benefits. This provision expires at the end of FY 1997.

Immigration and Naturalization Service
Immigration Examinations Fee
Continuation of 1966 Changes
(Dollars in thousands)

	1966 President's Request		1966 Reprogramming		Congressional		Appropriation Action on		Adjustment in		1966 Appropriation	
	Est.	NY	Est.	NY	Est.	NY	Est.	NY	Est.	NY	Est.	NY
Activities/Programs												
Enforcement												
a. Inspections	441	645	608,860	(13)	43	5215	...	...	(90)	...	426	816
b. Investigations	94	94	7,187	...	...	1,515	...	...	(1)	...	14	14
c. Inspections	5	5	183	6	6	146	...	...	(3)	...	14	14
Subtotal	543	744	616,130	(7)	49	2,366	...	...	(94)	...	556	844
Citizenship and Benefits												
a. Adjudications and Naturalization	2,052	1,890	136,104	641	1,258	144,829	...	...	(336)	...	2,643	2,720
b. International Affairs	364	454	51,511	11	11	3,322	21	21	(60)	...	413	368
Subtotal	2,416	2,344	187,615	652	1,269	148,151	21	21	(396)	...	3,056	3,088
Immigration Support												
a. Training	22	19	4,102	3	13	35	...	...	(4)	...	24	27
b. Data and Communications	72	82	58,880	...	6	12,498	...	...	(5)	...	72	67
c. Information and Records Mgmt.	775	725	50,782	61	249	50,367	...	...	(229)	...	646	745
d. Construction and Engineering	1	1	174	...	...	2,908	...	...	...	...	1	1
e. Legal Proceedings	25	20	3,553	15	41	3,321	...	...	(11)	...	14	14
Subtotal	895	827	67,419	89	310	69,129	...	...	(257)	...	1,056	970
Program Direction												
a. Management and Administration	58	58	5,557	28	51	5,412	...	...	(28)	...	122	122
Total	4,029	3,619	804,973	679	1,648	221,970	21	21	(764)	...	4,729	4,400

Reprogramming. The reprogramming of resources reflects the permanent effect of the April 13, 1966 reprogramming notification. In the narrative accompanying the reprogramming notification, it was stated that the reprogramming was of a permanent nature and would carry into 1967. The impact of the 1966 reprogramming notification, dated November 13, 1966, is also reflected in this table.

Congressional Action on the 1966 Request. The Congress moved the Cuban-Haitian Entry Program into the account and directed that Examine Fee resources fund the activity.

Adjustment in Workyears. As a result of the delayed enactment of 1966 appropriations, the capacity limits of the hiring and training systems, and the resulting delays in hiring, some workyears cannot be used in 1966 and 1967. Reprogrammings of funds made available by these hiring delays will be submitted as needed.

Immigration and Naturalization Service
 Immigration Enforcement Fee
 Summary of Requirements
 (Dollars in thousands)

	1996 Conference Action		1996 Appropriation Anticipated		1997 Base		1997 Request		Increase/Decrease	
	Pos.	WY Amount	Pos.	WY Amount	Pos.	WY Amount	Pos.	WY Amount	Pos.	WY Amount
Adjustments to base:										
1996 Conference Action	4,723	5,283	536	422	536	422	536	422	4,187	4,861
Adjustments in WY years	---	(284)	---	---	---	---	---	---	---	---
1996 Appropriation Anticipated	4,723	4,999	536	422	536	422	536	422	4,187	4,861
Increases	---	---	---	---	---	---	---	---	---	---
Streamlining	---	(230)	---	---	---	---	---	---	---	---
Decreases for one-time portion of 1996 reprogramming	---	(220)	---	---	---	---	---	---	---	---
1997 Base	4,493	3,999	4,493	3,999	4,493	3,999	4,493	3,999	4,493	3,999
Program Changes (See Program Narrative for Details)	---	---	---	---	---	---	---	---	---	---
1997 Request	4,493	3,999	4,493	3,999	4,493	3,999	4,493	3,999	4,493	3,999
Estimates by budget activity										
1. Enforcement	536	422	536	422	536	422	536	422	536	422
2. Citizenship and Benefits	3,059	3,116	3,059	3,116	3,059	3,116	3,059	3,116	3,059	3,116
3. Immigration Support	1,006	870	1,006	870	1,006	870	1,006	870	1,006	870
4. Program Direction	122	91	122	91	122	91	122	91	122	91
Total	4,723	5,283	4,493	3,999	4,493	3,999	4,493	3,999	4,493	3,999

**Immigration and Naturalization Service
Immigration Examinations Fee
Summary of Receipts and Disbursements
(Dollars in thousands)**

	1995 Actual	1996 Actual	1997 Request
Financing			
Unappropriated balance, start of year.....	843,062	\$197,642	\$104,743
Receipts.....	480,602	443,700	428,800
Total available for appropriation.....	563,664	641,342	534,543
Appropriation.....	(258,012)	(538,598)	(511,061)
Unappropriated balance, end of year.....	197,642	104,743	23,482
Obligations			
Recovery of prior year obligations.....	365,644	538,599	511,061
Total requirements.....	(832)	538,599	511,061
Obligations by program			
Enforcement:			
Inspections.....	9,639	27,065	27,891
Investigations.....	8,493	9,341	9,669
Intelligence.....	724	1,059	1,108
Subtotal.....	19,066	37,475	38,668
Citizenship and Benefits:			
Applications and Naturalization.....	188,523	272,633	231,551
Immigration Affairs.....	24,072	31,850	38,772
Subtotal.....	202,595	304,473	270,323
Immigration Support:			
Training.....	2,784	3,127	3,214
Data and Communications.....	47,014	48,185	48,901
Information and Records Management.....	58,993	101,879	100,405
Construction and Engineering.....	250	3,172	175
Legal Proceedings.....	3,452	6,414	6,646
Subtotal.....	112,493	162,597	169,341
Program Direction:			
Management and Administration.....	22,622	14,064	14,724
Total obligations.....	365,644	538,599	511,061

**Immigration and Naturalization Service
Immigration Enforcement For
Business and Industry
(Under Immigration)**

	1985 As Enacted		1986 Approved		1987 Base		1987 Proposed		1988 Proposed		1987 Compared	
	Pct.	Amount	Pct.	Amount	Pct.	Amount	Pct.	Amount	Pct.	Amount	Pct.	Amount
Enforcement												
Investigation	428	84.5	814,328	428	811	80,809	428	818	827,086	428	318	827,081
Inspection	100	100	8,498	100	93	8,493	94	93	8,981	94	93	8,981
Investigations	14	8	1,188	14	2	724	14	11	1,008	14	11	1,008
Subtotal	642	473	28,220	642	811	19,086	642	811	27,779	642	811	28,989
Clearance and Service												
Adjudication and Naturalization	2,864	1,823	187,617	2,864	2,086	188,823	2,864	2,720	275,843	2,864	2,450	281,361
Immigration and Naturalization	88	88	28,478	88	88	28,478	88	88	28,478	88	88	28,478
Subtotal	3,000	2,547	206,315	3,000	2,799	207,663	3,000	2,799	304,321	3,000	2,538	311,320
Immigration Support												
Training	24	19	4,182	24	27	5,794	24	27	5,197	24	27	5,197
Data and Communications	71	52	48,860	71	57	47,014	71	57	48,196	71	57	48,196
Information and Records Management	894	778	84,982	894	701	84,982	894	714	101,079	894	714	101,079
Legal Proceedings	1,008	827	121,087	1,008	818	112,493	1,008	870	180,867	1,008	870	180,867
Subtotal	1,008	827	121,087	1,008	818	112,493	1,008	870	180,867	1,008	870	180,867
Program Director												
Management and Administration	122	88	28,478	122	88	28,478	122	81	14,724	122	81	14,724
Total	4,796	3,715	378,671	4,796	3,656	366,844	4,796	3,656	488,081	4,796	3,656	488,081
Total Workyears			3,715		3,656			3,656				3,656
Other Workyears												
Overseas	31	31	31	31	31	31	31	31	31	31	31	31
Overseas	49	49	49	49	49	49	49	49	49	49	49	49
Overseas	284	284	284	284	284	284	284	284	284	284	284	284
Total comparable	4,079	4,079	4,079	4,079	4,079	4,079	4,079	4,079	4,079	4,079	4,079	4,079

Note: The actual level shown for 1988 reflects all reprogramming actions approved by the Congress. The level shown for 1989 reflects the impact of the approved 1989 reprogramming actions.

Immigration and Naturalization Service
Immigration Examinations Fee
Program Performance Information
(Dollars in Thousands)

The Immigration Examinations Fee account was established in the Department of Justice Appropriations Act, 1989 (P.L. 100-459). Section 209 of the Act amends 8 U.S.C. 1356 by establishing a separate account into which the Attorney General may deposit adjudication fees collected under the regulations governing INS. All deposits to the account are paid out of this appropriation for expenses in providing immigration adjudication and naturalization services. The resources to be made available are used for adjudication of applications and petitions for benefits under the Immigration and Nationality Act; asylum, refugee, and parole and overseas activities; adjudication-related work performed in other Service and non-Service programs; and to provide necessary support to all of these activities.

In action taken on the appropriation for FY 1995, the Congress amended Section 245 of the Immigration and Nationality Act to allow certain categories of aliens to adjust their status in the United States upon payment of fees for this benefit. This provision has resulted in an increase in workload as well as an increase in resources available to INS for processing these and other applications for immigration benefits. The provision expires at the end of FY 1997.

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Streamlining Initiatives: INS will reduce 230 workyears in FY 1997 through the following streamlining initiatives:

- 1) **Technology Enhancements to Reduce Labor-Intensive Activities** - INS will implement automated systems that will provide the capability to store and retrieve information and files electronically to reduce staff devoted to maintenance of files.
- 2) **Customer Service Improvements** - INS will continue its efforts to consolidate and automate application processing operations through the use of Service Centers, Forms Centers and automated telephonic information activities. This initiative will alleviate adjudication burdens of local INS offices, thereby enabling the district offices to provide more intensive contact services with the public, such as responding to inquiries, conducting interviews, and performing field examinations.

ACTIVITY: ENFORCEMENT

	Perm. Pos.	FTE	Amount
Inspections			
1996 Appropriation Anticipated	428	318	\$27,065
1997 Base	428	318	27,891
1997 Request	428	318	27,891
Increase/Decrease	...	...	...

BASE PROGRAM DESCRIPTION:

- The function of this program in the Immigration Examinations Fee account is to process and adjudicate applications for immigration benefits. Applications and petitions for a full range of benefits under the Immigration laws are adjudicated during periods of standby time at most ports-of-entry during non-peak workload hours. Certain types of applications are presented directly at land border ports of entry located on the United States borders where they are adjudicated and issued by inspections personnel.
- Additional resources within the Immigration Examinations Fee account are targeted to the Inspections program for the Fees for Services which INS began assessing at land border ports-of-entry on October 9, 1995. The documents are issued to visitors from Mexico and Canada who are already entitled to enter the United States, but afford such special privileges as extending length of stay and broadening areas of travel beyond that offered by nonresident alien Mexican or Canadian border crossing cards. A total of 187 positions, 134 inspectors and 53 immigration assistants, are currently funded to process applications and collect the requisite fees.

ACTIVITY: ENFORCEMENT

	Perm. Pos.	FTE	Amount
Investigations			
1996 Appropriation Anticipated	94	93	\$9,341
1997 Base	94	93	9,669
1997 Request	94	93	9,669
Increase/Decrease	-	-	-

BASE PROGRAM DESCRIPTION:

- The function of this program is to detect criminal law violations and identify violators through covert operations and other investigative procedures, and initiate criminal prosecution or administrative action. Many of the cases investigated involve violators associated with large-scale, highly organized criminal conspiracies. Quite often, these criminal alien organizations are simultaneously engaged in other illegal activities such as racketeering, alien smuggling, counterfeiting, prostitution, official corruption, narcotics, weapons trafficking and extortion on an international scale. Special Agents identify these organizations through interviews, the use of informants, surreptitious surveillance, as well as undercover and task force operations. Other major cases investigated involve individual aliens who entered the United States illegally to seek benefits or employment through fraudulent documents. Investigative task force operations concentrate the resources of a local office, or combine the resources of several offices, to identify the members and activities of a criminal organization. Investigations personnel often require the service of subpoenas and search warrants to obtain evidence.

ACTIVITY: ENFORCEMENT

	Perm. Pos.	FTE	Amount
Intelligence			
1996 Appropriation Anticipated	14	11	\$1,969
1997 Base	14	11	1,108
1997 Request	14	11	1,108
Increase/Decrease	--	--	--

BASE PROGRAM DESCRIPTION:

- This program provides strategic and tactical intelligence support to Service offices enforcing the provisions of the Immigration and Nationality Act, and assists other Federal agencies in addressing national security issues. The Service's Forensic Document Laboratory (FDL) is a critical component of the program. Intelligence support in the Immigration Examinations Fee account contributes to efforts aimed at detecting fraudulent documents and false claims to citizenship and other benefits and privileges.

ACTIVITY: CITIZENSHIP AND BENEFITS

	Perm. Pos.	FTE	Amount
Adjudication and Naturalization			
1996 Appropriation Anticipated	2,643	2,729	\$272,633
1997 Base	2,643	2,459	219,961
1997 Request	2,643	2,459	231,551
Increase/Decrease	--	--	11,590

BASE PROGRAM DESCRIPTION:

- The function of this program is to process, adjudicate, and ultimately grant or deny applications and petitions for benefits provided under the immigration laws. Adjudications activities include processing applicants for permanent resident status, petitions for relatives, worker's applications, reentry permits, refugee travel documents, and extensions of temporary stay. Naturalization activities include the examination of aliens to determine their qualifications for naturalization, issuance of citizenship documents, appearances of Service officials before naturalization courts, and the conduct of administrative naturalization ceremonies.
- The INS Adjudications and Naturalization program operates in field offices located throughout the country and in four Service Centers located in California, Texas, Vermont, and Nebraska. Applications for immigration, nationality and citizenship benefits, and for naturalization are received and adjudicated by a corps of immigration officers (examiners) and adjudications support personnel. District offices adjudicate cases involving personal appearances by petitioners or applicants. The Service Centers concentrate on cases which can be processed without individual appearances and which benefit from volume processing and a production-oriented environment where the immigration officers can conduct their reviews without interruptions caused by telephone inquiries and by meetings with applicants.

ACTIVITY: CITIZENSHIP AND BENEFITS

	Perm. Pos.	FTE	Amount
International Affairs			
1996 Appropriation Anticipated	416	396	\$51,840
1997 Base	416	396	\$9,777
1997 Request	416	396	\$9,777
Increase/Decrease	--	--	--

BASE PROGRAM DESCRIPTION:

- The function of this program is to adjudicate refugee applications, process parolees, conduct investigations for preference and relative visa petitions, and conduct other records checks and background investigations as required at overseas Service offices. Officers assigned to this program provide assistance to citizens and lawful permanent residents abroad regarding adoptions, immigration or parole of alien spouses and children, and other benefits into the U.S. for deserving individuals, and coordinate with the Coast Guard on the asylum screening process of the Alien Migrant Interdiction Program.
- The Refugee Act of 1980 created a statutory basis for asylum in the United States and made withholding of deportation of those who qualify mandatory rather than discretionary. While Congress, in passing the Act, established a statutory definition of "refugee", it did not legislate a specific method by which claims for asylum or withholding of deportation were to be adjudicated. Rather, the Congress directed that the Attorney General establish the necessary procedures for such adjudication. Interim regulations were published in June 1980 and remained in effect until superseded by new asylum regulations signed by the Attorney General, were published as a final rule in the Federal Register on July 27, 1990, and took effect on October 1, 1990.
- Asylum interviews can only be conducted by members of the Asylum Officers Corps (AOC). The Asylum Officers are centrally managed from the INS Headquarters and are located at seven sites throughout the country. These officers also travel throughout the nation performing asylum interviews. Support activities at the seven sites and Headquarters are provided by clerical personnel who perform data updates, mail, file, and correspondence work. A quality control function is performed by supervisory personnel located on site and by Asylum Officers at Headquarters.

- The Congress transferred responsibility for the Care, Processing, and Resettlement of Cubans and Haitians Program (CHRP) from the Community Relations Service to the INS Examinations Fee Account in 1996. This will require Exams Fee to provide 21 positions and workyears and \$10,057,000 in 1996. This level of funding will provide resettlement services to 7,900 Cubans and Haitians (including 200 unaccompanied minors). Through grants and cooperative agreements, staff who are part of this program operate:

- (1) Primary Resettlement Program that provides transitional community-based refugee resettlement services to Cuban and Haitian nationals paroled from detention at INS Service Processing Centers;
- (2) Secondary Resettlement Program that provides resettlement services, emphasizing employment placement and retention, at specialized sites outside the state of Florida to Cubans and Haitians whose initial resettlement in South Florida did not lead to self-sufficiency; and
- (3) CRS' Unaccompanied Minors Program that provides foster care, residential shelter care, health, counseling, educational, recreational, and family reunification services to unaccompanied Cuban and Haitian minors.

This budget includes \$10,057,000 in 1997 for CHRP.

ACTIVITY: IMMIGRATION SUPPORT

	Perma. Pos.	FTE	Amount
Training			
1996 Appropriation Anticipated	24	27	\$3,127
1997 Base	24	27	3,214
1997 Request	24	27	3,214
Increase/Decrease	--	--	--

BASE PROGRAM DESCRIPTION:

- The function of the Training program is to provide the staff and the resources necessary to maintain an employee development program that meets the diverse training needs of this agency's workforce. Training requirements are identified annually and are revised, as needed, due to new regulations, legislation, or organizational needs. The program is accomplished in a variety of ways: through in-service training at the Federal Law Enforcement Training Center facilities (FLETC) at Glynco, Georgia

(basic officer training) and at Artesia, New Mexico (journeyman officer training); through programs conducted by other Federal agencies; by private contractors; or in combined presentations using Service and non-Service resources.

ACTIVITY: IMMIGRATION SUPPORT

	Perm. Pos.	FTE	Amount
Data and Communications			
1996 Appropriation Anticipated	72	57	\$46,195
1997 Base	72	57	46,991
1997 Request	72	57	46,991
Increase/Decrease	--	--	--

BASE PROGRAM DESCRIPTION:

- The Data and Communications Program provides direct support for operational programs as well as administrative support functions of the Service. There are five major technology programs (initiatives) included under the Data and Communications Program plus the functions collectively known as Information Resources Management (IRM) Operations. The five program areas, each of which consist of one or more projects in addition to the normal operations and maintenance required for existing systems and technologies, are: 1) Infrastructure 2) Examination Systems, 3) Biometric Identification Systems, 4) Corporate Information Systems, and 5) Management Systems (financial and administrative). IRM Operations includes the functions necessary to support the activities of the Data and Communications Program. Through development and implementation of these initiatives, the Service will improve the effectiveness and efficiency of Service functions through use of automation, provide for the operation of data and communications networks, and provide radio communications, telephone call handling, intrusion detection sensors, and electronic security equipment and systems. INS automation efforts are designed to directly support efforts to control the borders of the United States, reduce incentives for unauthorized employment and benefits, and remove criminal and non-criminal aliens. In FY 1997, INS will continue to place an emphasis and priority on its role as a repository of the Nation's records on immigrants, visitors, and illegal entrants as well as on meeting the customer needs for enhanced technology services and information. A brief description of each of the five major automation programs follows.

Infrastructure

The infrastructure program will provide a standard office automation platform for all INS sites to support interoperability. The standard office automation platform was designed to provide the INS workforce with the basic office automation capabilities to effectively and efficiently communicate initiatives, share data, and produce professional products that support customer requirements. By the end of FY 1996, infrastructure will be installed and/or initiated at 235 sites (36% of INS sites). In FY

1997, INS expects to install this standard infrastructure at an additional 376 sites (the remaining 59% of INS sites). Additionally, the Service will continue its migration to router and other communications technologies as the new infrastructure is deployed.

Examination Systems

The Examination systems incorporate all individual casework-oriented subsystems that support the processing of applications and petitions for Immigration benefits and associated processes such as the production of immigration documents. These include employment authorization, asylum, resident alien processing, and citizenship through the Naturalization process.

The Consolidated Linked Application Information Management System (CLAIMS) is a casework system used by the Service to receipt applications, deposit fees, and capture data through conventional data entry, 2D bar code scanning, or optical character recognition (OCR). The application is then forwarded for adjudication and the candidate is scheduled for an interview, if applicable.

In FY 1997, INS will re-engineer the CLAIMS casework processing system. INS will expand the development effort started in FY 1996 to re-engineer the Naturalization function to include additional forms and benefits. The re-engineered system will support 2D bar code scanning, use of debit and credit cards for applications fees, deployment of electronic filing, electronic submission of forms to external agencies, scanning of biometrics such as photograph and fingerprint, immediate check against the INS-IDENT lookout data base, electronic access to the A-file and the development of secure, state-of-the-art, fraud resistant documents. Additionally in FY 1997, the Immigration Card Facility (ICF) will be integrated in CLAIMS resulting in streamlined production of Border Crossing Cards as well as the processing of VISA applications.

Biometric Identification Systems

INS is developing a single fingerprint-based identification system that will enable the Service to rapidly and accurately identify persons of interest. IDENT is the current INS fingerprint-based identification subsystem that will be used by Service law enforcement and benefit systems to assist in the positive identification of persons who are arrested as well as those who apply for benefits, including the identification of travelers referred to secondary inspection processing and for automated inspection. During FY 1996, the INS began deployment of IDENT across the Southwest border. In FY 1997, INS expects to pursue implementation of this technology to expand the IDENT records storage, fingerprint matching capacity, and trends analysis for the existing installed sites along the Southwest Border as well as additional interior enforcement sites. Implementation of benefit and asylum identification will be underway.

- **Corporate Information Systems**

This program seeks to integrate and consolidate, where appropriate, INS information and enhance records management capabilities while supporting a secure, open system environment. In FY 1997, the INS will continue efforts to re-engineer INS data repository systems to streamline access to alien information. This program will ensure that data collected is correct and will follow the same naming and attribute standards across all agency systems requiring use of the data. In FY 1997, the INS will also develop and deploy a Common User Interface that provides a front-end to existing INS systems as a means to ensure data collection integrity and to streamline access to alien information. INS will also build imaging capability to provide electronic access to INS paper file information and for use in specific programs such as FOIA/PA. New and enhanced statistical capabilities and name search methodology will improve our corporate decision functionality.

Also under this program, the Verification Information system (VIS) will support the confirmation of an alien's immigration status, eligibility for certain entitlement benefits, and authorization to work. In FY 1996, INS plans to expand employer participation in the pilot verification program for employment eligibility from 238 employers to 1,000 employers. In FY 1997, the Service anticipates continued implementation of systems which strengthen Service efforts in the area of worksite enforcement.

- **Management Systems**

The Management Systems program includes the development, implementation, and maintenance of financial and administrative applications providing decision support information on INS workload, manpower, and financial resources. During FY 1996, INS continued development of plans to implement a cross-servicing agreement for a new financial management system with the U.S. Geological Survey. During FY 1997, the Service plans to implement the core financial and administrative system.

- **Information Resource Management Operations**

IRM Operations consists of the planning, policy development, acquisition management, computer security, field and program support, and management activities required to support the varied technology requirements of the Service.

ACTIVITY: IMMIGRATION SUPPORT

	Perm. Pos.	FTE	Amount
Information and Records Management			
1996 Appropriation Anticipated	856	745	\$101,679
1997 Base	626	515	97,995
1997 Request		515	109,485
Increase/Decrease	..	..	11,410

BASE PROGRAM DESCRIPTION:

The functions of this program are to:

- provide responses to inquiries from the public and private sector; local, state and Federal agencies; and the various branches of government, by telephone, in-person, and in writing.
- maintain alien records and files from which data may be readily obtained to respond to requests from both in and outside the Service;
- develop guidelines, policies and procedures and responses to FOIA/PA requests;
- compile, analyze and evaluate statistics for use in preparing regular and special reports about Service operations and work accomplishments;
- provide for the coordination, development, preparation and review of the Service's regulations, directives, operating instructions and forms, to ensure that these materials are issued and published in accordance with established Federal regulations and laws;
- monitor and ensure internal compliance to standards for systems and Service delivery.

ACTIVITY: IMMIGRATION SUPPORT

	Perm. Pos.	FTE	Amount
Construction and Engineering			
1996 Appropriation Anticipated	1	1	\$3,172
1997 Base	1	1	175
1997 Request	1	1	175
Increase/Decrease	--	--	--

BASE PROGRAM DESCRIPTION: The function of this program is to provide for the acquisition, design, construction, alteration, repair, maintenance, and management of all buildings, structures, and facilities for which the Service is the owning or leasing agency. Space is acquired through the General Services Administration (GSA), by lease and by INS construction.

ACTIVITY: IMMIGRATION SUPPORT

	Perm. Pos.	FTE	Amount
Legal Proceedings			
1996 Appropriation Anticipated	53	48	\$6,414
1997 Base	53	48	6,646
1997 Request	53	48	6,646
Increase/Decrease	--	--	--

BASE PROGRAM DESCRIPTION: INS attorneys represent the Service in asylum, rescission, naturalization, visa petition, and adjustment of status cases.

ACTIVITY: PROGRAM DIRECTION

	Perm. Pos.	FTE	Amount
Management and Administration			
1996 Appropriation Anticipated	122	91	\$14,864
1997 Base	122	91	14,724
1997 Request	122	91	14,724
Increase/Decrease	--	--	--

BASE PROGRAM DESCRIPTION:

The functions of this program are:

- To provide management direction and support for the implementation and operation of regional and field activities and functions to those managers and supervisors who are responsible for and exercise authority over multiple programs;
- To execute the provisions of the Immigration and Nationality Act and related policies through the development and implementation of immigration programs and the management of resources;
- To provide for the development, implementation, direction, operation and evaluation of administrative support systems and services that meet internal operational and managerial needs and externally mandated requirements. Included in this program are duties related to providing executive direction and control of the Service; furnishing accurate and prompt responses to Congressional and public inquiries; administering and maintaining effective budgeting and financial management systems, performing audits, conducting internal investigations, providing informational responses to frequent inquiries of GAO, OIG, OMB and Departmental offices, and developing and evaluating policies and systems to improve the effectiveness of Service programs. The major administrative functions within the program include: personnel, accounting, equal employment opportunity, procurement, property management, fleet management, security, safety and health, and other miscellaneous general services that support all programs within INS.

Improve Customer Services
Examinations Fee Account

	Positions	Workyears	Amount (\$000's)
Adjudications and Naturalization Information and Records Management	\$11,590
	\$11,410
Total			\$23,000

Proposed Action

This initiative provides INS the capability to continue the accelerated rate of processing made possible by the 1996 reprogramming through the first quarter of 1997. This reprogramming allowed INS to gain control of the significant naturalization and adjustment of status backlog that developed during previous fiscal years. However, the 1996 Examinations Fee account reprogramming provided additional resources on a one-time basis only. By continuing the term staffing for the first quarter of 1997, and funding the records contracts through the end of the fiscal year, INS expects to be able to shorten the processing time of both naturalization and adjustment of status applications and exceed previously stated goals of six months and four months processing times, respectively.

Improve Customer Service

	Positions	Workyears	Amount (\$000's)
Adjudications and Naturalization	\$11,590

INS requests \$11,590,000 in the Adjudications and Naturalization program to extend the following items:

Citizenship USA (\$9,344,000) --

A total of \$ 3,577,000 is requested to continue the efforts of the temporary staffing contingent currently in place at the five Districts where the most growth in naturalization case load has occurred. These are: Miami, New York, Chicago, Los Angeles and San Francisco. INS expects to process 1.3 million naturalization applications during 1996. The continuation of term staffing for an additional quarter will allow INS to sustain the momentum achieved with 1996 enhancements to surpass INS' goal of processing naturalization applications to within 6 months processing time. A total of 328 Officers and 18 Supervisors would remain for an additional 3 months and 205 Clerks would remain on duty for an additional 4 months. Clerical support is required for a longer period to assist with ceremonies and perform end processing activities so that cases may be completed and closed. INS has also identified \$3,600,000 in incremental FBI fingerprint costs associated with naturalization receipt and processing levels anticipated in 1997. Court costs, based on current projections on the number of oaths to be administered during 1997, will increase by \$2,217,000 above the current base. Typically, District and State Courts administer 80 percent of all oaths while INS performs the remainder of oaths during INS-administered ceremonies.

The following chart shows actual and expected naturalization application receipts, completions, and pending based on the continuation of staff as described above.

	New Receipts	Completions	Pending
FY 1995	992,883	580,789	738,427
FY 1996	974,483	1,302,935	487,242
FY 1997	809,484	914,269	382,457

245(i) Adjustment of Status Case Processing (\$2,246,000) --

A total of \$2,246,000 is requested to continue the temporary staffing contingent currently in place at the five Districts where the most growth in 245(i) adjustment of status case load has occurred. These are: Miami, Newark, New York, Los Angeles, and San Francisco. Approximately 183 officers and 180 clerks would be extended for 3 and 4 months, respectively. This will enable INS to ensure that

Section 245(i) Adjustment of Status applications are processed in less than 4 months. Section 245(i) allows a person who is physically present in the United States and who would otherwise have been eligible for immigrant visa issuance abroad, to adjust status to that of a lawful permanent resident. Persons currently applying for Adjustment of Status under the provisions of Section 245(i) must pay the standard filing fee of \$130, plus an additional sum of \$650, for a total of \$780. This provision, scheduled to sunset at the end of 1997, has significantly increased the number of applicants applying for adjustment of status. INS recognizes that these applicants must be processed expeditiously and relieved of their seasonal status. INS continues to monitor its progress toward this objective. These resources have been and will continue to be targeted at specific locations with high receipt and/or pending application levels.

The following table shows expected processing volumes based on the proposed continuation of staffing enhancements beyond 1996:

	New Receipts	Completions	Pending
FY 1995	435,000	282,660	247,788
FY 1996	481,000	594,046	96,579
FY 1997	506,000	500,341	165,992

Information and Records	Positions	Workyears	Amount (\$100)
	\$11,410

A total of \$11,410,000 is requested in the Information and Records program to support contract Records functions in field offices and the Service Center. The following is a breakout of these activities:

Contract Center/Direct Mail Records Contract (\$6,991,000) --

A total of \$6,991,000 is requested to maintain the current level of contract support for Direct Mail. Over the previous two fiscal years, INS has expanded Direct Mail to include Employment Authorization Document and Adjustment of Status (Asylee and Refugee)

processing. More recent enhancements include the addition of front-end processing for naturalization applications from the Miami, Los Angeles, Chicago, and New York Districts. This enhancement allows continuation of the contract at the 1996 level which provides coverage of front-end processing of naturalization applications for these four Districts for a full year. As Direct Mail continues to be expanded, INS plans to receipt and process the majority of applications at Service Centers, returning only cases requiring personal interviews to field offices.

District Office Pilot Records Contracts (\$4,819,000) --

In 1996, INS began testing the use of contract records support in three of the largest field offices: Miami, Los Angeles, and Chicago. INS requests \$4,819,000 to extend the contracts. The contract currently will expire in January, 1997. Historically, INS has had difficulty recruiting and retaining Records staff in its high volume offices. The option of utilizing a contract allows INS to aggressively pursue its backlog immediately with the intention of duplicating the success of the Service Center Records contract operation, while permanent staffing issues can be decided. Immediate goals of the contract include more timely mail processing and fee receipt processing in addition to improved quality in the control and distribution of service files. Because the contract dedicates specific personnel to records tasks, INS expects the contract support to maintain a high level of productivity. The contract will also support ongoing initiatives to increase customer service at the affected offices.

Immigration and Naturalization Service
Examinations Fee Account
Fiscal Year 1987 - Program Changes
(Dollars in thousands)

Item	Records Maint.		Admission and Naturalization		Total Examinations Fee	
	Pos.	Amount	Pos.	Amount	Pos.	Amount
(Prizes)						
OS-15.....
OS-14.....
OS-13.....	720	..	720
OS-12.....
OS-11.....
OS-10.....	12,620	..	12,620
OS-9.....
OS-8.....
OS-7.....
OS-6.....
OS-5.....	6,270	..	6,270
OS-4.....
OS-3.....
OS-2.....
OS-1.....
Total Positions & Annual Rate.....	19,627	..	19,627
Lapse fee.....	(14,107)	..	(14,107)
Other fees permitted.....
Other personnel compensation.....
Total workyears and personnel compensation.....
Personal benefits.....	6,430	..	6,430
Travel and transportation of persons.....
GIA fees.....
Communication/telecommunications.....
Other services.....
Supplies and materials.....
Equipment.....
Land & structures.....
Total program WY & obligations charges requested, 1987.....	..	11,410	..	11,690	..	23,100

NOTE: NIH is not requesting FTE. Any increase in FTE usage will be absorbed within Service totals.

Immigration and Naturalization Service Immigration Examinations Fee Priority Ranking Fiscal Year 1997				
Program	Base Program	Ranking	Program	Program Increases Ranking
Adjudications & Naturalization		1	Adjudications and Naturalization Services	1
Inspections		2		
International Affairs		3		
Information & Records Mgmt		4		
Data & Communications		5		
Legal Proceedings		6		
Investigations		7		
Intelligence		8		
Management & Administration		9		
Training		10		
Construction & Engineering		11		

Immigration and Naturalization Service
Immigration Examinations Fee
Detail of Permanent Positions by Category
Fiscal Years 1995 - 1997

Category	1995			1996			1997		
	Auth.	Request	Reprog.	Transfers	Auth.	Program Change	Request		
Attorneys (905)	43	32	11	..	43	..	43		
Asylum Officer (930)	154	154	..	..	154	..	154
Paralegal Specialist (950)	4	4	..	..	4	..	4
Other Legal and Kindred (900-999)	495	493	12	..	495	..	495		
Contact Representative (962)	323	323	..	..	323	..	323
General Enforcement & Support (1800-1999)	883	870	13	..	883	..	883		
Criminal Investigators (1811)	100	94	..	..	94	..	94
Criminal Investigators (1816)	428	441	-13	..	428	..	428		
Immigration Inspectors (1816)	1,066	566	534	..	1,060	..	1,060		
Adjudications Officer (1801)	4	2	2	..	4	..	4		
Other Miscellaneous Occupations (001-099)	7	7	..	..	7	..	7
Social Sciences, Economics and Kindred (100-199)	32	26	6	..	32	..	32		
Personnel Management (200-299)	1,136	967	104	15	1,078	-230	846		
General Administrative and Clerical (300-399)	35	30	5	2	37	..	37		
Accounting and Budget (500-599)	5	5	..	..	5	..	5
Information and Arts Group (1000-1099)	11	10	1	2	13	..	13		
Business and Industry Group (1100-1199)	2	..	2	..	2	..	2		
Physical Sciences Group (1300-1399)	1	1	..	1	2	..	2		
Mathematics and Statistics Group (1500-1599)	16	14	2	..	16	..	16		
Education Group (1700-1799)	11	11	..	..	11	..	11
Supply Group (2000-2099)	3	3	..	1	4	..	4		
Other (WFO)	..	..	..	..	..	..	..
Total	4,759	4,023	879	21	4,723	-230	4,493		
Washington	188	168	20	15	201	..	201		
U.S. Field	4,526	3,810	659	6	4,475	-230	4,245		
Foreign Field	47	47	..	..	47	..	47
Total	4,762	4,023	878	21	4,723	-230	4,493		

Intelligence and Information Services
Intelligence Communications Liaison
Summary of Agents and Support Personnel
12/1/80-12/31/80

	1988 Appropriation Anticipated						1987 Program Change						1987 Request Level					
	Agents	Attorneys	Support	Total	Agents	Attorneys	Support	Total	Agents	Attorneys	Support	Total	Agents	Attorneys	Support	Total	Agents	Attorneys
Division 104	Pos	FTE	Pos	FTE	Pos	FTE	Pos	FTE	Pos	FTE	Pos	FTE	Pos	FTE	Pos	FTE	Pos	FTE
Intelligence	428	318	-	-	428	318	-	-	428	318	-	-	428	318	-	-	428	318
Border Patrol	84	80	-	-	84	80	-	-	84	80	-	-	84	80	-	-	84	80
Investigative	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
Operation & Deployment	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
Intelligence	-	-	14	11	-	-	14	11	-	-	14	11	-	-	14	11	-	-
Administrative & Information	-	-	2,643	2,720	-	-	2,643	2,720	-	-	2,643	2,720	-	-	2,643	2,720	-	-
Administrative Staff	-	-	418	396	-	-	418	396	-	-	418	396	-	-	418	396	-	-
Training	-	-	24	27	-	-	24	27	-	-	24	27	-	-	24	27	-	-
Data & Comm. Systems	-	-	72	57	-	-	72	57	-	-	72	57	-	-	72	57	-	-
Information & Records Mgmt	-	-	858	745	-	-	858	745	-	-	858	745	-	-	858	745	-	-
Control & Engineering	-	-	1	1	-	-	1	1	-	-	1	1	-	-	1	1	-	-
Legal Proceedings	-	-	43	32	-	-	43	32	-	-	43	32	-	-	43	32	-	-
Management & Administration	512	411	49	31	512	411	49	31	512	411	49	31	512	411	49	31	512	411
Total	512	411	49	31	512	411	49	31	512	411	49	31	512	411	49	31	512	411

Immigration and Naturalization Service
Immigration Examinations Fee
Summary of Change
(Dollars in thousands)

	Perm. Pos.	Work- years	Amount
1996 Conference Allowance.....	4,723	5,283	\$536,599
Adjustments in Workyears.....	..	(784)	..
1996 Appropriation Anticipated.....	4,723	4,499	536,599
Adjustments to base:			
Streamlining.....	(230)	(230)	..
Increases:			
1997 Pay Raise.....	..	..	5,052
Annualization of 1996 pay raise.....	..	..	1,740
Annualization of 1996 locality pay adjustment.....	..	..	685
Within-grade increases (WIG).....	..	..	2,314
Foreign Allowance.....	..	..	13
Accident Compensation.....	..	..	307
Travel mileage allowance rate increase.....	..	..	39
Distributed Administrative Support (DAS).....	..	..	6,588
General pricing level adjustments.....	..	..	2,650
Total, mandatory increases.....	..	..	19,388
Decreases:			
Decrease for one-time portion of 1996 reprogramming.....	..	(270)	(67,926)
Total, decreases.....	..	(270)	(67,926)
1997 Base.....	4,493	3,999	488,061
Program Changes.....	..	..	23,000
1997 Request.....	4,493	3,999	511,061

Immigration and Naturalization Service
Immigration Examinations Fee
Justification of Adjustment to Base
(Dollars in thousands)

Work
years Amount

Adjustments to Base:

Streamlining -230

Increases:

\$5,052

1997 pay raise
This request provides for the proposed 3.0 percent pay raise to be effective in January of 1997 and is consistent with Administration policy included in the 1997 Paycheck revised economic assumptions, January 22, 1995. The amount requested, \$5,052,000, represents the pay amounts for three-quarters of the fiscal year plus appropriate benefits (\$3,587,000 pay and \$1,465,000 benefits = \$5,052,000).

1,740

Annualization of 1996 pay raise
This pay annualization represents first quarter amounts (October through December) of the 1996 pay increase of 2.4 percent, plus appropriate personnel benefits (\$1,236,000 for pay and \$504,000 for benefits)

685

Annualization of 1995 locality pay adjustment
This adjustment represents the locality pay increase received January 1995

2,314

Within-grade increases
This request provides for the expected increase in cost of within-grade increases. This increase is based on an accurate, dynamic model of the Department's employee population which includes numerous factors such as anticipated pay raises, adjustments to include three-year attrition/separation rates, and career ladder series to reflect promotion policy for each organization. The request includes \$1,643,000 for pay and \$671,000 for benefits

1605

Foreign allowances.....	\$13
Allowances for Government employees in foreign areas are determined by the Department of State (DOS). The requested increase of \$13,000 provides a 3.1 percent increase over the obligations of \$419,000, which are projected for 1996.	
Accident Compensation.....	307
This increase reflects the billing provided by the Department of Labor (DOL) for the actual costs in 1995 of employees' accident compensation. The 1997 amount will be \$307,000.	
Taxable-allowance rate increase.....	39
The mileage allowance rate has increased from 25 to 30 cents per mile. An increase of \$39,000 is requested in 1997 to cover this rate adjustment.	
Disbursed Administrative Support (DAS).....	6,588
The current Foreign Affairs Administrative Support system is being phased out in FY 1997 and will be replaced by the International Cooperative Administrative Support Services (ICASS) system. ICASS will allow for services on a cost reimbursable basis. Previously, the Department of State funded the majority of these services through its appropriations. The Department's cost will increase substantially since ICASS will work on a completely reimbursable basis. ICASS will be modeled after Working Capital Fund principles, allowing for the full accounting of the cost of each specific administrative service. An increase of \$6,588,000 is requested.	
General pricing level adjustments.....	2,650
This request applies OMB pricing guidance as of June 11, 1995, to selected expense categories. The increased costs identified result from applying a factor of 3.1 percent against those subobject classes where the prices that the Government pays are established through the market system leased by law or regulation. Generally, the factor is applied to supplies, materials, equipment, contracts with the private sector, printing costs, transportation costs, and utilities.	
Subtotal, adjustments to the base.....	19,388
Decreases:	
Decrease for one-time portion of 1996 appropriations.....	-270
Subtotal, adjustments to the base.....	-270
Total, adjustments to the base.....	-500

**Immigration and Naturalization Service
Immigration Examination Fee
Summary of Requisitions by Grade and Object Class
(Dollars in thousands)**

Grades and Salary Ranges	1995 Actual		1996 Estimate		1997 Request		Increase/Decrease	
	Positions & Workyears	Amount	Positions & Workyears	Amount	Positions & Workyears	Amount	Positions & Workyears	Amount
ES 1-4, \$94,800-115,700.....	2	...	2	...	2	...	...	...
GS-15, \$99,300-90,000.....	34	...	34	...	34	...	...	...
GS-14, \$58,915-78,591.....	163	...	163	...	163	...	...	...
GS-13, \$49,856-64,814.....	259	...	259	...	259	...	...	...
GS-12, \$41,926-54,508.....	1,013	...	1,013	...	1,013	...	...	...
GS-11, \$34,981-45,473.....	999	...	993	...	983	...	...	...
GS-10, \$31,659-41,388.....	9	...	9	...	9	...	...	...
GS-9, \$28,917-37,699.....	331	...	321	...	290	...	(31)	...
GS-8, \$26,175-34,027.....	342	...	332	...	332	...	...	...
GS-7, \$23,634-30,726.....	327	...	327	...	327	...	...	...
GS-6, \$21,260-27,650.....	185	...	185	...	185	...	...	...
GS-5, \$19,081-24,805.....	779	...	779	...	682	...	(97)	...
GS-4, \$17,055-22,176.....	339	...	339	...	287	...	(142)	...
GS-3, \$15,193-19,747.....	56	...	56	...	49	...	(7)	...
GS-2, \$13,923-17,519.....	7	...	7	...	7	...	...	...
GS-1, \$12,394-15,489.....	17	...	17	...	17	...	...	...
Wage Grade.....	4	...	4	...	4	...	...	...
Locality Pay.....	...	...	...	...	...	...	...	...
1996 Pay Raise.....	...	...	...	\$3,592	...	\$4,078	...	...
1997 Pay Raise.....	...	...	...	3,305	...	4,358	...	...
Total positions.....	4,759	159,861	4,723	172,886	4,493	186,845	(230)	13,759
Pay above stated annual rates.....	...	...	...	635	...	700	...	65
Lapses.....	(1,501)	(41,328)	(892)	(9,758)	(892)	(1,291)	...	7,467
Savings due to lower pay scales for part of year.....	...	(739)	...	(826)	...	(1,235)	...	(409)
Net full-time permanent.....	3,258	117,794	3,831	163,937	3,601	184,819	(230)	20,882
Other than permanent:								
Temporary employment.....	278	7,029	668	19,466	398	11,124	...	(8,342)
Other personnel compensation:								
Overtime.....	352	10,551	352	18,022	352	15,726	...	(2,296)
Special personnel services payments.....	...	...	...	...	...	...	...	...
Total, workyears and personnel compensation.....	3,888	135,413	4,851	201,515	4,351	211,719	(230)	10,204
Average GS Salary.....	\$37,290	10.6	\$35,170	10.2	\$40,830	10.7	...	...
Average GS Grade.....	...	...	...	...	...	...	...	...

Immigration and Naturalization Service
Immigration Examinations Fee
Summary of Requirements by Grade and Object Class
(Dollars in thousands)

Object Class	1986 Actual		1986 Appropriation		1987 Request		Increase/Decrease	
	Workyears	Amount	Workyears	Amount	Workyears	Amount	Workyears	Amount
11.1 Full-time permanent.....	3,258	\$117,794	3,831	\$183,937	3,401	\$184,819	(230)	\$20,882
11.2 Other than full-time permanent.....	278	7,029	888	19,488	988	11,124	(270)	(8,342)
11.3 Other permanent compensation.....	382	10,150	542	18,182	382	15,728	...	(2,298)
11.4 Other permanent pay rates.....	...	...	...	...	...	...	...	...
11.5 Other permanent pay rates.....	...	...	...	...	...	...	...	...
Total, temporary and permanent compensation.....	3,898	135,413	4,851	201,515	4,351	211,719	(500)	10,204
12.1 Civilian personnel benefits.....	33,151	54,987	54,987	54,987	54,987	54,987	...	(1,157)
13.0 Benefits for former personnel.....	1,051	1,865	1,865	1,865	1,023	1,023	...	(842)
21.0 Travel and transportation of persons.....	2,998	12,868	12,868	12,868	7,747	7,747	...	(5,121)
22.0 Transportation of things.....	1,332	1,113	1,113	1,113	500	500	...	(613)
23.1 Rental payments to GSA.....	24,828	25,834	25,834	25,834	34,483	34,483	...	8,649
23.2 Rental payments to others.....	433	4,278	4,278	4,278	137	137	...	(4,139)
23.3 Communications, utilities & misc. charges.....	8,065	14,277	14,277	14,277	10,845	10,845	...	(3,332)
24.0 Printing and reproduction.....	2,827	4,093	4,093	4,093	2,328	2,328	...	(1,767)
25.0 Other contractual services.....	115,472	190,379	190,379	190,379	184,829	184,829	...	(5,550)
26.0 Supplies and materials.....	14,760	10,271	10,271	10,271	16,868	16,868	...	6,288
31.0 Equipment.....	16,125	13,481	13,481	13,481	4,911	4,911	...	(8,670)
32.0 Land and structures.....	240	...	...	...	3	3	...	...
33.0 Services.....	1	10	10	10	...	...	...	(10)
44.0 Research.....	243	89	89	89	239	239	...	150
91.0 Unexpended.....	1	...	...	...	...	...	...	...
Total obligations.....	3,898	356,844	4,851	538,599	4,351	511,081	(500)	(25,538)
Reversion of obligations to outlays.....	...	...	...	...	...	...	...	...
Obligations.....	356,844	...	538,599	...	511,081	...	...	...
Outlays.....	356,844	...	538,599	...	511,081	...	...	...

Department of Justice
Federal Prison System
Salaries and Expenses
Estimates for Fiscal Year 1977
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Justification of Program and Performance
Federal Prison System
Salaries and Expenses
Summary Statement
Fiscal Year 1997

The Bureau of Prisons (BOP) is requesting a total of \$2,868,316,000, 32,089 permanent positions, and 29,074 workyears for the Salaries and Expenses appropriation in 1997. This represents net adjustments to base of \$24,758,000 and program increases of \$76,000,000.

The mission of the BOP is to protect society by confining offenders in the controlled environments of prisons and community-based facilities that are safe, humane, and appropriately secure, and which provide work and other self-improvement opportunities to assist offenders in becoming law-abiding citizens. BOP currently manages 86 facilities in six regions of the country. As of February 29, 1996, BOP supervised 102,201 inmates, including over 91,500 in BOP facilities and more than 10,600 federal inmates in community corrections centers, contract detention centers, other contract facilities and home confinement.

There are two major appropriations for the Federal Bureau of Prisons: Salaries and Expenses and the Buildings and Facilities. The National Institute of Corrections, which used to be a separate appropriation within BOP, is now combined with the Salaries and Expenses appropriation under the Contract Detention Center (CDC) appropriation. The CDC is responsible for the management and operation of all contract facilities, regional offices, staff training centers and the central office. The funding for this mission is divided into four programs. They are: Inmate Care and Programs; Institution Security and Administration; Contract Confinement; and Management and Administration.

For 1997, total program increases of \$76,000,000, 1,963 positions, and 477 workyears are requested to activate three sentenced BOP facilities, two expansions and two privately-operated Government-owned facilities.

This request level will enable custody and care for a projected average daily population (ADP) of 97,176 offenders and for the maintenance and operation of 99 penal institutions, 6 regional offices, 3 staff training centers, a central office, and the alternative confinement of 1,662 federal offenders in approximately 351 state and local jails, 41 juvenile facilities, and 246 community corrections centers in 1997. A geographic display of BOP is included on page 3.

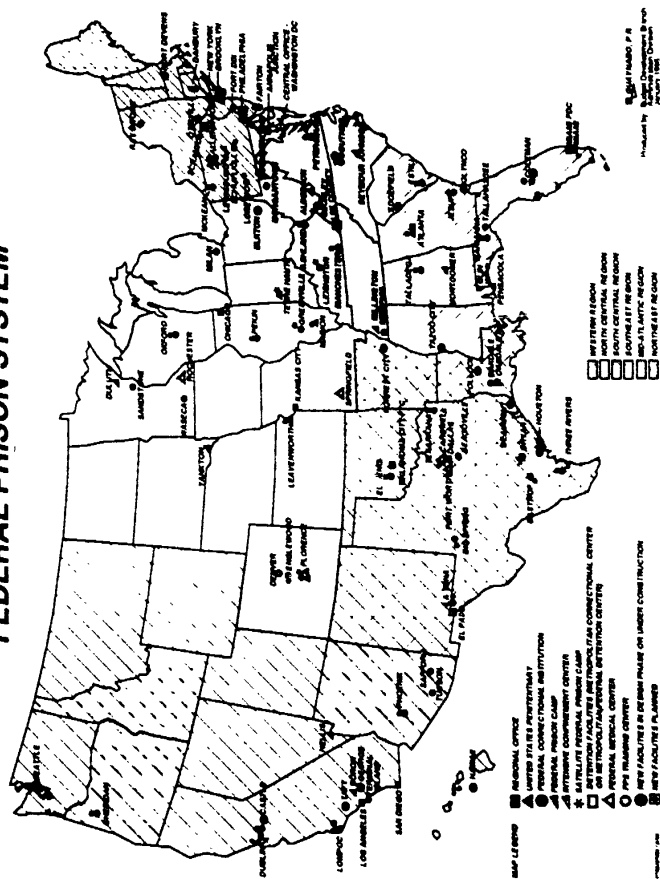
Following is a brief summary of the program increase:

Activation of New Facilities

For FY 1997, BOP is requesting a total of \$76,000,000, 1,963 positions and 477 FTE for these facilities which will require activation resources. These facilities will add 6,944 critically needed beds.

Facilities:	Estimated Activation Dates	Est.	W*	Amount (\$000)
Activation of New Facilities:				
Brampton, TX FCC 960 beds High	12/96	453	168	\$17,463
Butner, NC FPC 763 beds (513 Medical/250 Low)	5/97	739	191	18,299
Esperfield, SC FCI 1,666 beds (1,152 Med/512 Min/max)	6/97	524	78	13,611
Georgetown, TX FCI 1,000 beds (600 Med/400 Min/max)	7/97	597	28	5,733
Cornwall AFB, TX 512 beds Low	8/97	169	4	1,907
Morgantown, WV 320 beds Low	8/97	58	4	8,858
Activation of Private Operated Facilities:				
Elkhart, IN 2,048 beds (512 minimum), 536 Low	10/96	10	4	13,120
Subtotal, Activations 6,944 beds	2/97	1,910	477	73,500

FEDERAL PRISON SYSTEM



Federal Prison System
Salaries and Expenses
Crosswalk of 1996 Changes
(Dollars in thousands)

Activity/Program	1996 President's Budget Request			Congressional Actions on 1996 Request ¹			Reprogrammings			Adjustments in			1996 Appropriation Anticipated		
	Pos	WY ¹	Amount	Pos	WY	Amount	Pos	WY	Amount	WY ¹	Pos	Amount	WY ¹	Pos	Amount
Inmate Care and Programs															
Inmate Care	4,147	3,618	\$646,626	90	(87)	(\$18,508)	0	0	0	0	(178)	4,237	3,353	4,237	\$628,118
Inmate Programs	5,981	5,546	381,791	192	(104)	(8,666)	0	0	0	0	(211)	6,173	5,231	6,173	373,125
Subtotal	10,128	9,164	1,028,417	282	(191)	(27,174)	0	0	0	0	(389)	10,410	8,584	10,410	1,001,243
Institution Security and Administration															
Institution Security	11,544	11,456	601,970	340	(214)	(6,256)	0	0	0	0	(448)	11,884	10,794	11,884	595,714
Institution Maintenance	2,267	2,146	248,953	56	(38)	(3,555)	0	0	0	0	(78)	2,323	2,030	2,323	245,398
Institution Administration	3,633	3,616	327,442	82	(72)	(2,947)	0	0	0	0	(147)	3,715	3,397	3,715	324,495
Staff Training	407	379	48,364	6	(6)	(1,062)	0	0	0	0	(12)	413	361	413	47,302
Subtotal	17,851	17,597	1,226,729	484	(330)	(13,820)	0	0	0	0	(685)	18,335	16,582	18,335	1,212,905
Contract Confinement	266	241	250,618	31	46	(21,687)	0	0	0	0	0	297	287	297	228,931
Management and Administration	1,167	1,237	124,495	0	0	0	0	0	0	0	0	1,167	1,237	1,167	124,495
TOTAL	29,412	28,239	2,630,259	797	(475)	(62,681)	0	0	0	0	(1,074)	30,209	26,690	30,209	2,567,578

¹ Excludes 127 reimbursable workyears

² An increase of 373 positions for Forrest City and 373 for Yazoo City are provided. These positions are in addition to 10 positions for each facility requested in the Congressional Budget. If the facilities were privatized NIC's 61 positions and workyears are also transferred to the Salaries and Expenses appropriation. Further, Congress reduced the funding level by \$62,681 million (\$15,681 million delayed activations and applied \$47 million in carryover funding). FTE were reduced by 526 in line with the reduced funding.

³ As a result of the delayed enactment of 1996 appropriations, the capacity limits of the hiring and training systems, and the resulting delays in hiring, some workyears can not be used in 1996. Reprogrammings of funds made available by their 1994 delays will be submitted as needed.

**Federal Prison System
Salaries and Expenses
Summary of Requirements
(Column in thousands)**

Adjustments to Base:	Pos.	WY	Amount
1986 Conference Allowance.....	30,209	27,794	\$2,497,578
Adjustment in Wages.....	---	---	(1,074)
1986 Appropriation Anticipated.....	30,209	28,680	2,497,578
Transfers:			
To Violent Crime Reduction Trust Programs.....	---	---	(8,982)
To the Working Capital Fund for Jail Management.....	---	---	(101)
Increases, (Automatic, non-policy).....	---	---	298,898
Decreases.....	(83)	(83)	(16,464)
1987 base.....	30,146	28,170	2,812,316
Program Changes.....	1,943	477	76,000
1987 Estimate.....	32,089	28,647	2,888,316

	1986 Appropriation Anticipated			1987 Base			1987 Estimate			Increase/Decrease		
	Pos.	WY	Amount	Pos.	WY	Amount	Pos.	WY	Amount	Pos.	WY	Amount
Estimates by Budget Activity:												
1 Inmate care and Programs.....	10,410	8,584	\$1,001,243	10,410	9,316	\$1,074,027	11,325	9,536	\$1,098,765	915	220	\$22,738
2 Institution Security and Administration.....	18,335	18,542	1,212,509	18,272	17,820	1,318,749	18,280	17,869	1,353,024	1,008	249	31,275
a. Confined confinement.....	287	287	228,931	287	287	289,703	317	305	309,660	20	8	18,967
b. Management and Administration.....	1,167	1,237	124,495	1,167	1,237	128,837	1,167	1,237	128,837	0	0	0
Total.....	30,209	28,680	2,567,578	30,146	28,170	2,812,316	32,089	28,647	2,888,316	1,943	477	76,000

Federal Prison System
 Budget of Expenses
 Summary of Resources by Program
 (Dollars in thousands)

	1985 Actual ¹			1986 Appropriation			1987 Base ¹			1987 Estimate ¹			Increase/Decrease		
	Perm	Est.	NY	Perm	Est.	NY	Perm	Est.	NY	Perm	Est.	NY	Perm	Est.	NY
Estimate by Division Unit															
Inmate Care & Programs	10,091	8,722	884,850	10,091	8,402	887,051	10,410	8,544	810,124	10,410	8,318	810,027	11,325	8,536	810,088,785
Institution Security and Administration	17,474	18,020	1,120,871	17,474	14,805	1,127,175	18,335	18,362	1,212,809	18,272	17,620	1,318,748	18,280	17,688	1,353,024
Contract confinement	277	278	180,246	277	251	179,422	297	297	228,831	297	297	298,703	317	305	309,880
Management and Administration	1,158	1,228	121,852	1,155	1,228	114,752	1,187	1,237	126,495	1,187	1,237	128,837	1,187	1,237	128,837
Total	29,000	28,248	2,337,722	29,007	24,788	2,294,400	30,208	28,680	2,567,578	30,148	28,470	2,812,318	32,008	28,947	2,888,318
Reimbursable workyears	127			127			127			127			127		
Total workyear ceiling	24,375			24,315			24,317			24,317			24,317		
Other Workyears															
Inmate Care	530			530			500			514			514		
Institution Security	541			541			588			622			622		
Total compensable workyears	27,447			24,987			27,945			24,925			24,910		

¹ FY 1995 - FY 1987 totals includes transfer of funding from National Institute of Corrections.

Federal Prison System
Salaries and expenses
Reimbursable Expenses
Summary of Requirements
(Dollars in thousands)

Collections by Source:	1988 Actual			1988 Estimate			1987 Estimate			Increase/Decrease		
	Perm. Pos.	WY	Amount	Perm. Pos.	WY	Amount	Perm. Pos.	WY	Amount	Perm. Pos.	WY	Amount
Salaries.....	127	127	\$9,591	127	127	\$9,015	127	127	\$8,641	0	0	\$629
Staff Housing Rental.....	0	0	3,995	0	0	3,918	0	0	4,040	0	0	122
Federal Prison Industries.....	0	0	1,335	0	0	1,444	0	0	1,489	0	0	45
Meal Tickets.....	0	0	851	0	0	863	0	0	880	0	0	27
Farm Property.....	0	0	0	0	0	475	0	0	480	0	0	16
NC.....	0	0	531	0	0	890	0	0	960	0	0	0
Total.....	127	127	16,303	127	127	16,095	127	127	17,800	0	0	835

Goods or Services Provided:
Care for inmates from various states.
Housing for staff.
Utilities for Federal Prison Industries.
Meals for staff.
Sale of livestock.
NC - training and technical assistance to juvenile justice administrators and practitioners. (Per Congressional direction, NC is currently developing a new plan that outlines a reimbursement structure.)

Federal Prison System
Salaries and Expenses
Program Performance Information

Mission: The Federal Bureau of Prisons (BOP) protects society by confining offenders in the controlled environments of prisons and community-based facilities that are safe, humane, and appropriately secure, and which provide work and other self-improvement opportunities to assist offenders in becoming law-abiding citizens.

General Goals:

- 1) BOP will proactively manage its offender population to ensure safe and secure operations.
- 2) BOP will have a competent and representative workforce meeting the organization's needs up to and beyond the year 2000.
- 3) BOP will maintain its facilities in operationally sound conditions and in compliance with security, safety and environmental requirements.
- 4) BOP will manage its operations and resources in a competent and effective manner which encourages creativity and innovation in development of exemplary programs as well as excellence in maintaining the basics of correctional management. BOP continually strives toward improvements in its effective use of resources and its efficient delivery of services.
- 5) BOP provides services and programs to address inmate needs, providing productive use-of-time activities, and facilitating the successful reintegration of inmates into society, consistent with community expectations and standards.

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- 6) BOP will continue to seek opportunities for expanding the involvement of community, and local, State, and Federal agencies, in improving the effectiveness of the services it provides to offenders and constituent agencies. The active participation by BOP staff to improve partnerships will allow the BOP to carry out its mission within the criminal justice system and to remain responsive to other agencies and the public. BOP will develop partnerships to focus the shared responsibility for the establishment of a supportive environment promoting the reintegration of offenders into the community.

Federal Prison System
Salaries and Expenses
Program Performance Information
(Dollars in thousands)

ACTIVITY: INMATE CARE AND PROGRAMS

	Perm. FTE	Amount (\$000)
1996 Appropriation Anticipated	10,410	8,584
1997 Base	10,410	9,316
1997 Estimate	11,325	9,536
Increase/Decrease	915	220
		22,738

BASE PROGRAM DESCRIPTION: The purpose of Inmate Care is to provide offenders incarcerated in BOP with a nutritional diet; adequate health care services; clean clothing, footwear, linens; toiletries and stationery; and to properly manage the inmate trust fund. The purpose of Inmate Programs is to improve inmate self-control and establish healthy relationships between staff and inmates by dividing the large institution population into smaller, more manageable groups. A team of multi-disciplinary staff who have administrative and supervisory authority in most institutional aspects of programming and living are permanently assigned and located in the unit to work with the inmates. This places services closer to the users and permits decision-making by those who are most knowledgeable of the inmates and their programs. The increased interaction between inmates and staff enhances communication and understanding of inmate needs to a level not possible in a centralized correctional environment.

Inmate programs include general and occupational education programs, religious, psychology services, and leisure time activities. General education programs are designed to meet specific inmate needs for functional literacy, high school equivalency, continuing education, and personal growth. There are seven major components of the general education program: Literacy, Adult Continuing Education, English as a Second Language, Structured Leisure Activities (e.g. Physical Fitness and Health Education), Guidance and Counseling, Secondary and Advanced Occupational Education, and Life Skills.

The BOP provides daily meals which are certified for nutritional adequacy by registered dietitians and meet the Recommended Dietary Allowances established by the Food and Nutrition Board Commission of Life Sciences, National Research Council. Meal preparation is accomplished primarily by inmate workers (about 12 percent of the population) under the supervision of staff. The United States Penitentiary at Lompoc, California and the Federal Correctional Institution at El Reno, Oklahoma utilize available land resources in limited production of beef and milk. Farm products are consumed at the producing institutions and are also shipped to nearby institutions to offset their need to purchase some products on the open market.

Medical services are provided by a variety of professional and para-professional health care personnel including physicians, dentists, nurses, pharmacists, and physician assistants. Within 14 days of admission, all newly sentenced inmates receive a complete physical, mental health, and dental examination. Sick call, which includes examination of patient complaints, ordering and assessment of diagnostic tests, and a medical treatment plan is conducted five days a week. Medical emergencies during other than normal working hours or on weekends and holidays are handled on an on-call basis. If an inmate has a health condition which is beyond the professional capability of an institution's medical staff, the inmate is referred to a contract physician, a hospital in the community, or one of BOP's medical referral centers.

The Medical Center for Federal Prisoners (MCFP) at Springfield, Missouri is the major medical referral center for the Federal Prison System. There are five additional regional medical centers within the BOP health care delivery system. The Federal Medical Center (FMC), Rochester, Minnesota accepts referrals of both male and female specialty medical, surgical and psychiatric cases nationwide. The Federal Correctional Institution (FCI), Butner, North Carolina provides for male psychiatric cases. FMC, Lexington, Kentucky changed its mission in FY 1994 from a female referral center to a chronic disease and long-term care institution for male inmates to replace the closing of FMC Carville, Louisiana. FMC, Carswell, Texas opened in the latter part of FY 1994 and has been designed to handle female medical, surgical and psychiatric cases nationwide. Also, selected chronic (disabled, handicapped, geriatric) female cases will be referred to Carswell on a nationwide basis. Finally, FMC, Fort Worth, Texas accepts referrals for male inmates with chronic disease and in need of long-term care.

The U.S. Public Health Service continues to provide personnel in support of the BOP medical program. In addition to providing 16-hour or 24-hour medical coverage at all institutions, all major medical facilities have accreditation by the Joint Commission on Accreditation of Healthcare Organizations. Medical, surgical, and rehabilitative services

not available in BOP medical facilities are provided to inmates through contract arrangements with community hospitals and/or governmental health facilities. Increasing numbers of Federal inmates are requiring medical care, primarily as a result of the population explosion, general aging of the population, and the increased numbers of inmates with a history of drug abuse. Specifically, BOP has experienced increased numbers of drug related medical conditions such as HIV/AIDS, tuberculosis (TB), and kidney disease.

BOP maintains an inventory of clothing, footwear, toiletries, linens, and writing supplies for issue to all inmates during incarceration. Clean clothing and linens are issued weekly in exchange for clothing and linens to be laundered. A laundry operation is maintained to clean all clothing and linens. All services are performed with inmate labor under staff supervision.

BOP manages an Inmate Trust Fund account for all monies on deposit for each inmate. Monthly inmate earnings received for work with Federal Prison Industries, performance pay, and money from family or friends are deposited directly to each inmate's account. BOP continues its success in its Inmate Financial Responsibility Program for court-imposed fines, fees, and their legitimate financial obligations by developing a financial plan which considers both outside assets and their earning capabilities while incarcerated. In addition, inmates can withdraw funds when needed to make purchases from the commissary, send money to family members, pay for legal services, or pay for supplies to participate in programs such as college courses.

BOP's Literacy Program is designed for the approximately 40 percent of Federal offenders who lack a high school diploma and consists of basic literacy and high school equivalency courses and general equivalency examinations. All inmates, with few exceptions, are required to enroll if they do not have verification of a high school diploma or a GED equivalency. A mandatory involvement is required for 120 days. Adult Continuing Education courses are designed for inmates who have a desire to "brush up" in a special area or enroll in a special interest program, e.g., speed reading, English, mathematics, contemporary issues, history, and foreign language. The Crime Control Act of 1990 requires all non-English speaking Federal prisoners to participate in an English as a Second Language program until they function at the equivalent of the eighth grade level. Advanced occupational education courses are for inmates who have successfully completed high school and want to further their preparation for post release employment, e.g., drafting, building maintenance, data processing, and dental technology. The Guidance and Counseling program assists inmates to focus on realistic planning and goal setting for work and related activities during their incarceration and after release.

Occupational education programs serve to enhance skills during incarceration and increase the employability of offenders upon release, particularly those who either lack solid employment history or a marketable skill. BOP has recently released new Post-Release Employment Project data, which support earlier findings that prison industries and vocational training programs decrease recidivism. The majority of Federal offenders are unskilled at the time of commitment to prison. Federal offenders can choose a vocation, through instruction, work experiences, and career orientation; acquire or improve productive work skills and habits; and gain practical knowledge essential to working and functioning in a complex industrial-technical world of work.

Chaplaincy personnel conduct the religious services of their particular faith group and arrange for the delivery of religious services of other faith groups to fulfill their role as correctional program providers. Chaplaincy staff play a positive role in inmate and religious groups management as they provide programs across the spectrum of faiths represented in the inmate population. Chaplains train and sensitize staff regarding the variety of faiths that inmates practice. Chaplains additionally provide guidance to the institution to comply with the Religious Freedom Restoration Act. Common fare has been implemented system wide to provide for the diets of various religious faiths. BOP pays strict attention to remaining pro-active in meeting the expectations of the Religious Freedom Restoration Act.

Approximately 300 contracts are issued annually for the delivery of services to the smaller faith groups and other related religious services. Chaplains also recruit, train, supervise, and sustain approximately 6,000 volunteers from the community who regularly visit the institution to participate in the religious programming. Approximately 27,500 religious worship services were conducted in 1995 representing the various religious disciplines within the prisoner population. In addition to worship services, chaplaincy personnel offer a wide variety of non-worship religious program options.

Psychology staff are an integral part of correctional treatment as they administer programs of group and individual psychotherapy, crisis intervention, personal development classes, and staff consultation/training. BOP policy requires that every inmate admitted to a BOP facility be given an initial psychological screening which consists of psychological testing, psychological interviews, social history reviews, and behavioral observation. The purposes of the screening are to identify special treatment and/or referral needs; provide information useful in future crisis-counseling situations; identify strengths as well as potential adjustment problems to imprisonment; and discuss possible program needs with the inmates and provide information about them.

Both individual and group psychotherapy are available to inmates who express a desire and demonstrate the need for it. Training and orientation programs are also offered for developing "life competency skills" including communication, assertiveness, self-image, interpersonal relationships, conflict resolution, problem solution and work skills. Short-term crisis counseling has been acknowledged by mental health professionals as a powerful, viable skill, and BOP psychologists with expertise in this area have provided training and consultation to staff in institutions. BOP psychologists have traditionally provided the courts, parole officials and prison administrators with quality psychological evaluations. Leisure time activities, both structured and unstructured, reduce inmate idleness, enhance personal fitness and wellness, and promote positive life styles. The Life Skills component helps inmates develop a positive self-image and positive interaction skills, including parenting.

ACTIVITY: INSTITUTION SECURITY AND ADMINISTRATION

	Perz. Poz.	FXE	Amount (0000)
1996 Appropriation Anticipated	18,335	16,582	\$1,212,909
1997 Base	18,272	17,620	1,319,749
1997 Estimate	19,280	17,869	1,353,024
Increase/Decrease	1,008	249	33,275

BASE PROGRAM DESCRIPTION: All institutions are assigned a security classification based in part on the physical design of each facility. There are four security levels: minimum, low, medium, and high. Additionally, there is an administrative category for specialized populations such as pre-trial, medical, etc. A separate classification system for females has been developed based on extensive research which indicates that female offenders generally do not require the same degree of security as male offenders.

Offenders are assigned a custody status which relates to the degree of supervision needed and ensures that offenders are placed in the least restrictive and least expensive correctional environment appropriate to their custody and security level needs. Each inmate is tracked through the SENTRY Information System. The result is a grouping of offenders with similar custodial needs in an institution. This significantly reduces the mixing of predatory and non-predatory offenders.

Within each institution, correctional officers are assigned to security posts which are primarily established on the basis of structural/visual considerations. The two basic categories of security are perimeter security and internal security. Perimeter security consists of a walled or fenced perimeter, supplemented by staffed security towers, razor wire strung between a double fence, high mast lighting to illuminate the perimeter, motorized perimeter patrols and highly technical equipment such as alarm systems, and video surveillance. Entrances through the perimeter are controlled by a series of gates, both electrical and manual, supplemented by metal detection systems and search procedures for weapon and contraband control. For all practical purposes, all other security measures, processes and activities can be called internal security, commencing when an inmate is committed and terminating upon his/her release.

Supervision of inmates is provided in living units, visiting areas, dining halls, and any other area where inmates may be located or have access. Regularly scheduled counts are conducted several times a day in all institutions in order to monitor the whereabouts of inmates. Work supervisors and program personnel are held strictly accountable for all inmates under their supervision.

Violations of institution regulations are dealt with through the Inmate Disciplinary Process. Correctional staff investigate the incident, prepare a report and submit it to the Unit Discipline Committee. Depending on the seriousness of the charge, the Unit Committee may hear and decide the case or refer it to the Discipline Hearing Officer for appropriate action. An administrative remedy process provides for appeals to decisions of the Committee.

The Administrative Detention program provides for the separation of offenders from the general population who require special protection and for those who pose a serious escape risk or threat to the security and orderly operation of the institution. The Disciplinary Segregation Program provides for segregation of offenders who have committed serious prohibited acts within the institutional setting. Inmates who have committed serious prohibited acts are held in segregation only after a due process hearing where the inmate is given the opportunity to rebut the charges.

The maintenance program meets the requirements for adequately maintaining and operating the physical plants of BOP. This program finances maintenance projects estimated to cost \$10,000 or less. Maintenance requirements in excess of \$10,000 are included in the Modernization and Repair program of the Buildings and Facilities appropriation. Facilities vary in age from recently constructed to those 100 years old. One-third of the facilities are nearly 30 years old, which is the expected life of buildings without major upgrading and renovation. As of January 23, 1996, BOP facilities were situated on approximately 10,903 acres and contained approximately 34 million square feet of floor area, all of which must be maintained and furnished utility services. Complex heating and air conditioning systems, high pressure steam power plants, sophisticated hospital equipment, emergency electrical power systems and fire protection and life safety systems all require regular maintenance. Each institution maintains communication systems including complete private automatic branch exchange telephone systems, radio systems including base station and mobile units and several electronic detection and control systems. Additionally, this program provides for the maintenance and operation of approximately 3,865 vehicles. Requirements are identified through regular inspections conducted in the on-going preventive maintenance program; formal semi-annual inspections; and through requests for specific needs identified by institution staff members.

The work within this program is accomplished almost entirely by inmate crews under staff supervision. Each work crew consists of a staff foreman and five to fifteen inmates. Each institution must have highly skilled staff with experience and training in every phase of construction and maintenance work including steamfitters, air conditioning mechanics and electronics repair. A few specific jobs are contracted out because special skills or equipment items are required, or because the work may be extremely dangerous. Examples of these jobs are elevator inspection and repair, radio frequency alignment, and water tower painting.

Streamlining Initiatives: The FY 1997 Base reflects a reduction of 63 positions and FTE consistent with the BOP streamlining plan. These are administrative positions in the areas of Budget, Finance, Procurement and Personnel.

ACTIVITY: CONTRACT CONFINEMENT

	Pera. Pos.	FTE	Amount \$0001
1996 Appropriation Anticipated	297	287	\$228,931
1997 Base	297	297	285,703
1997 Estimate	317	305	309,690
Increase/Decrease	20	8	19,987

BASE PROGRAM DESCRIPTION: Over 10 percent of the current BOP inmate population are housed in alternative confinement.

Certain categories of Federal offenders are designated for confinement in State, local and private facilities. These include: persons committed under the Federal Juvenile Statutes, who must be separated from adult offenders and placed in community-based facilities near their residence whenever possible; adult offenders, whose lives might be endangered in Federal facilities (protection cases); and offenders with short sentences (generally three years or less) who are placed in local detention facilities (jails) for service of sentence.

Contract confinement is provided for those offenders who the Federal courts determine need more than probation and less than full institution confinement and services; who are under probation or parole supervision but need more intensive services and/or programs than can be provided under the "community" supervision of the U.S. Probation Officer; and who are committed directly from court generally serving short sentences.

In addition, BOP contracts with State, local, and private community corrections centers (CCC) for community residential bed space for offenders who are eligible and need a pre-release transition program at the end of their sentences before returning to the community. Since January 1982, BOP has increased the number of inmates monitored by contract CCCs from 1,425 to a current average daily population of 5,901.

CCCs provide services to inmates attempting to establish themselves as fully functioning citizens while still under supervision. Available services include individual and group counseling, supervised living quarters, and employment assistance.

All of the CCCs contain three program components: a Community Corrections Component, which is more punitive and restrictive for offenders, a Pre-Release Component for those offenders entering the community after serving a portion of their sentence in an institution, and a Home Confinement Component, where inmates are permitted to reside at their home and be gainfully employed while continuing in official detention status.

Community Corrections Managers (CCMs) develop contract resources and monitor contracts for the placement of Federal offenders in State and local institutions, in private residential community corrections centers, and in Government-owned privately-operated facilities. CCMs also make recommendations for designation of newly sentenced offenders and are responsible for the placement of direct commitments to non-Federal facilities. Furthermore, CCMs provide case management services to all Federal inmates placed in non-Federal institutions, and serve as technical consultants to contractors on BOP policy. In addition, CCMs serve as the BOP liaison with members of the U.S. Marshals Service, U.S. Probation Service, U.S. Parole Commission, Federal courts, other Federal agencies, State and local government agencies and local community agencies. As of September 1995, there were 30 Community Corrections field offices throughout the United States.

BOP has a National Office of Citizen Participation (NOCP) which engages community resources in the reintegration of offenders into the community through expansion of current institution volunteer programs as well as new traditional services.

Maricel Cuban outplacement through BOP CCCs provides highly structured residential and community-based services for those whose needs and criminal histories dictate substantial support and intensive supervision in order for them to become self-sufficient. Outplacement through family sponsorship provides transitional assistance to individuals whose needs and criminal histories do not require intensive residential or community supervision.

The National Institute of Corrections (NIC) is the only governmental agency that provides comprehensive, technical assistance to State and local correctional agencies. NIC provides technical assistance either by a correctional consultant and/or an NIC staff member to the requesting agency, or an individual or team of individuals visits another agency to gain expertise and experience in the specific area of concern. The National Institute of Corrections Academy is the training division which provides training and related services for State and local correctional practitioners. By developing and delivering training to prison, jails and community corrections practitioners, the Academy enhances interaction among correctional agencies, other components of the criminal justice system, public policymakers, and concerned public and private organizations.

ACTIVITY: MANAGEMENT AND ADMINISTRATION

	Perm. Est.	ETS	Amount (\$000)
1996 Appropriation Anticipated			
1997 Base	1,167	1,237	\$124,495
1997 Estimate	1,167	1,237	128,837
Increase/Decrease	0	0	128,837

BASE PROGRAM DESCRIPTION: This budget activity covers costs associated with general administration and provides funding for the central office, six regional offices, and three staff training centers. Included are oversight functions of the executive staff, and regional and central office program managers in the areas of: personnel management; equal employment opportunity; financial management; inmate systems management; safety; staff training; facilities management; procurement and property management; mail; printing and reproduction; space management; research and evaluation; program analysis; budget development; budget execution; policy development and implementation; systems support; ADP services; and legal services.

The Bureau of Prisons is managed from a Central Office in Washington, D.C., where the Director, Assistant Directors, and Assistant Director/General Counsel guide the agency's headquarters functions, and six regional offices, each of which is led by a Regional Director. The Executive Staff, which includes the Director, Assistant Directors, and Regional Directors meet every other month to review all major issues and determine policy for BOP. The Management Staff at each institution, including wardens, associate wardens, and executive assistants, provide overall direction and implement policies. Staff training is provided on site at each institution; at three residential training centers; through external training provided by the Office of Personnel Management, National Academy of Corrections, by other Federal agencies; by colleges/universities; and by private agencies.

BOP sets and enforces high standards of personal and professional conduct in its workforce. The Office of Internal Affairs reports to the Director and provides liaison and investigative assistance to the Department of Justice's Office of the Inspector General (OIG) regarding allegations of waste, fraud, mismanagement, and improper activities on the part of agency employees.

The Office of General Counsel provides legal advice, assistance, and representation to officials of the Federal Bureau of Prisons and Federal Prison Industries in the areas of Commercial Law, Legislative and Correctional Issues, Litigation, Administrative Complaints, Ethics Legal Administration and Labor Law.

The Community Corrections and Detention Division has an instrumental role in the designation of new offenders to BOP and to non-BOP facilities; develops and manages contract residential resources that provide pre-release assistance for inmates who are nearing their eventual release date, an option to institutional confinement for certain short-term offenders, and a structured environment for certain probationers, parolees and supervised releasees who need more assistance and supervision than can be provided by community supervision. In addition, the Division develops and provides oversight to contract resources that provide secure confinement for all sentenced Federal juvenile offenders; long-term Federal inmates confined in non-Federal institutions, and detention of Federal offenders serving short sentences. The Division maintains working relationships with U. S. District Courts, U. S. Probation, U. S. Marshals Service, U. S. Parole Commission, U. S. Attorneys, State, and local government agencies for the purpose of processing offenders into and out of the Bureau of Prisons. This Division also provides inmate systems and case management services to offenders in non-BOP facilities, and provides technical assistance to State and local criminal justice agencies.

The Correctional Programs Division ensures a safe, secure institution environment for inmates and staff and encourages inmate population activities and programs designed to eliminate idleness and instill a positive work ethic. The Division provides leadership and policy direction in five areas: Correctional Services, Correctional Programs, Psychology Services, Religious Services, and Inmate Systems Management.

The Correctional Services Branch has primary responsibility for security and custody issues. This includes oversight for emergency preparedness (to include Special Operations Response Teams), locksmith operations, inmate discipline, the urinalysis program, inmate transportation, and the intelligence gathering network. Additionally, this Branch is responsible for monitoring and revising all program statements applicable to the Correctional Services discipline and developing specifications for all contracts pertaining to weapons, chemical agents, and emergency equipment. This Branch continues to seek ways to reduce violence in BOP facilities by handling disturbances, minimizing drug introductions, operating and maintaining security posts within Federal institutions, and enhancing the intelligence network for the detection and prevention of security hazards and the commission of crimes on Federal property.

The Correctional Programs Branch is responsible for planning, documenting, monitoring, and providing the delivery of correctional programs and services to inmates. The Branch provides guidance, instruction, and technical support to field staff in the areas of Witness Security, the central inmate monitoring system, unit management issues and training, case management, policy development, Victim/Witness and Financial Responsibility Program, and population issues. This Branch ensures inmates are placed in an institution commensurate with their security and custody requirements and also coordinates and implements individual pre-release planning for inmates' successful reintegration into the community.

The Psychology Services Branch is responsible for planning and monitoring the delivery of psychology services, hostage negotiation training, the suicide prevention program, psychological evaluations for the Community Witness Protection Program, the employee assistance program, and victims assistance training. In addition, the Branch is responsible for drug abuse treatment program initiatives through standardized drug education programs, comprehensive treatment programs, and institution transitional services programs.

Inmate Systems Management (ISM) ensures accurate computing of sentences, proper processing of inmates and property through receiving and discharge; provides U.S. Mail services; assures special care is taken to detect the introduction of contraband; and ensures that all inmates are released on the correct statutory release date. In addition, ISM provides paralegal services for answers to show cause orders; determines sentence computation problems; interprets court orders; represents institutions in court matters pertaining to inmate records; and provides expert testimony regarding sentence computation.

The Special Needs Offender Coordinator works with Bureau staff at all levels to ensure that female offenders, offenders with disabilities, and offenders with mental health concerns receive the programs and services afforded the rest of the inmate population.

The Chaplaincy Services Branch facilitates opportunities for Federal inmates to pursue their individual religious beliefs and practices, and extends this mission of pastoral care to institution staff members as their personal spiritual needs may require. This Branch has provided extensive educational materials to ensure that BOP maintains proactive provision for all faith groups in light of the Religious Freedom Restoration Act. As of February 14, 1996, there were approximately 210 Chaplains serving BOP's 86 institutions.

The Health Services Division has three missions: provision of sound medical care, safety and environmental health, and food services. The Health Care Branch ensures that essential medical, dental, and mental health services are provided to inmates by professional staff consistent with acceptable community standards. The Safety and Environmental Health Branch is responsible for a safe and healthful environment in which staff and inmates can work and live. The Food Service Branch establishes requirements for healthy, nutritionally sound, and appetizing meals that meet the needs of the general population and those at nutritional risk.

The Human Resource Management Division (HRMD) is responsible for the development, implementation, and administration of a merit system for employees which includes recruiting, examining, selecting, training, and promoting individuals on the basis of their knowledge, skills and abilities regardless of their race, religion, sex, political influence, or other factors; staff discipline; contract negotiations; performance management; and oversight of security background investigations. HRMD also establishes Bureau-wide personnel/training policies that meet legal and regulatory requirements of the Federal Government.

HRMD coordinates national recruitment efforts to ensure a pool of qualified candidates for all positions; plans, develops, and implements Affirmative Action Plans to ensure that all employees are treated fairly, equitably, and with care and consideration; develops and operates a nationwide staffing program for the processing of job applications. HRMD manages seven nationwide Offices of Personnel Management registers which include: Correctional Officer, Correctional Treatment Specialist, Drug Treatment Specialist, Clinical Psychologist, Counseling Psychologist, Physician Assistant, and Medical Doctor, to provide timely processing of applications for those seeking employment with BOP. HRMD develops an effective correctional workforce through challenging staff development experiences by designing and implementing management and executive level development programs to meet leadership needs. In addition, HRMD provides expert advice and guidance on matters relating to the employees' union, employee grievances, and employee disciplinary actions. HRMD provides agency representation before administrative third

parties; provides advice on local negotiations; represents the agency at national negotiations; ensures all positions are properly classified and employees receive all benefits, rights and entitlements. HRMD conducts research and analysis of human resource programs to support the development and enhancement of various initiatives. Finally, HRMD is responsible for the personnel security and background investigation program, ensuring all employees receive appropriate background investigations and subsequent reinvestigation, with E.O. 10450/employment security approvals processed in a timely manner.

BOP operates a training academy at the Federal Law Enforcement Training Center, Glynco, Georgia, which provides introductory correctional training for all new employees. The training academy provides facilities for the housing of students, training in academics, firearms and self-defense. Course materials provide instruction on hostage situations, ethics, Interpersonal Communication (IPC) skills, special offenders, inmate discipline, legal procedures, etc. Glynco also conducts programs at the Federal Law Enforcement Training Center Satellite facility in Artesia, New Mexico. This training center offers advanced correctional skills training, such as disturbance control, firearms, side handle baton, and bus operations.

Most of BOP's advanced workshops, and managerial and technical training are held at the Management and Specialty Training Center in Aurora, Colorado. A wide range of courses are available for institution Executive Staff, department heads and technical support staff. These include courses for mentoring coordinators, unit managers, correctional supervisors, legal staff, food service personnel, trust fund staff and others.

Approximately 80 percent of BOP's training is conducted on site at the institutions. Each institution has an Employee Development Manager who plans, manages, and organizes the institution's training programs. Certain institution-conducted courses are required by national policy. For example, it is mandatory that each new employee receive two weeks of orientation training immediately upon entry-on-duty. Each experienced employee must be given correctional refresher training annually in subjects such as self-defense, disturbance control, firearms, fire protection, and inmate supervision. Each new case manager and unit manager must complete a self-study course in case management operations within sixty days of appointment. Most other positions also have mandatory training requirements.

The Information, Policy, and Public Affairs Division facilitates the use and dissemination of information within BOP and to external constituents, including Congress, other components of Federal, State, and local governments, members of the criminal justice

community, the media, and the general public. The Division includes offices of Public Affairs, Research and Evaluation, Information Systems, Policy and Information Resource Management and Security/Technology.

The Office of Public Affairs is responsible for public information, public and media relations, Congressional liaison and communications functions and provides a wide range of public information services to the media, the public, and other organizations; serves as primary contact for six regional offices and 86 institutions seeking information on media policy and national media contacts. In addition, this office coordinates major media contacts; responds to numerous inquiries from news organizations; compiles a detailed weekly report from the Director to the Attorney General; tracks and analyzes legislation in coordination with the Department's Office of Legislative Affairs; maintains direct contact with Members of Congress and their staffs; responds to Congressional inquiries and concerns, as necessary; prepares the Director for Congressional hearings and visits with members of Congress; works with the Federal Judicial Center in coordinating Sentencing Institute Seminars for Federal judges; develops written communications for Bureau-related information, and prepares informational videotape programs. This office also develops projects that enhance public knowledge of BOP and its programs; and coordinates information regarding Community Relations Boards in BOP institutions nationwide and coordinates and advises on international issues of interest to BOP, maintains liaison with foreign governments and international organizations requesting technical assistance, advice and information; and assists other U. S. Government agencies in their efforts to provide international assistance.

The Office of Public Affairs also conducts historical research; develops books, articles, and special presentations on BOP history for both internal and external audiences; responds to requests from BOP offices, other Federal agencies, scholars, the press, and the general public for historical information and records; collects and preserves historical records and artifacts; conducts oral history interviews; and develops displays on BOP history. The Office of Public Affairs handles records management issues for BOP by devising records disposition schedules and standards, compiling a comprehensive agency records schedule, conducting liaison with the National Archives and Records Administration, coordinating transfers of records to the National Archives, and providing staff training and advice on records management procedures.

The Office of Research and Evaluation provides information relevant to current and future questions in the field of corrections through social science research which include analyzing current and proposed government policies, conducting studies, developing and maintaining information systems, producing and distributing reports, responding to

information and technical assistance requests, and processing research proposals. The Research Office generates and distributes reports on such topics as recidivism, institution social climate, substance abuse problems of inmates, shock incarceration, impact of Drug Law Sentencing on the prison population, the relationship of work and vocational training of inmates to post-release employment, criminality and privatization. The office also responds to requests for prison impact assessments, information or technical assistance from BOP staff and outside agencies; and generates data on such issues as population projections, inmate classification, inmate misconduct, non-citizens, low-risk segments of the prison population, and career paths of staff.

The Policy and Information Resource Management Branch is responsible for system-wide management of directives, forms, printing, electronic publishing, quality assurance review of the Bureau's directives before and after issuance. Moreover, the Branch has Bureau-wide coordination responsibility for the management and safe keeping of information as a valuable and vital resource to the successful day-to-day operation of the agency. The Branch also has responsibility for coordinating the agency's information resource management strategic planning process.

The Office of Security Technology is responsible for identifying, evaluating, assisting, and developing security/technology initiatives and equipment within BOP; centralizing the identification and screening of new equipment and technology for potential use; establishing relationships with other Federal and State law enforcement agencies; responding to field requests for technical solutions to operational problems; coordinating evaluations with other BOP branches, divisions, regions and institutions potentially affected; distributing information to institutions and offices regarding the results of evaluations and tests; and establishing standards for the use of security systems.

The Office of Information Systems ensures the provision of modern, automated data and information systems for all BOP locations including computer services, application system development, technical support, personal computer support, financial systems, and field support.

The Program Review Division facilitates organizational self-assessment by BOP managers to determine strengths and weaknesses; gathers information about BOP operations in a consistent and objective manner; provides accurate, relevant information to management in a timely manner; provides training, insight and strategies to assist management in the strategic planning process and the efficient, effective gathering, monitoring and sharing of data; coordinates and monitors appropriate oversight activities of audit and regulatory authorities; and ensures that effective management and operational procedures exist

throughout the Bureau of Prisons.

The Program Review Branch reviews compliance with the laws, regulations and policy, adequacy of controls, efficiency of operations, and effectiveness in achieving program results, including exploring and developing all pertinent and significant information necessary to properly evaluate, support, and present findings. Through this process, the Branch is able to provide assurance that BOP programs are operating within policy and are free of fraud, waste, abuse, mismanagement, and illegal acts.

The Competition Advocate seeks to enhance deficit reduction, avoid wasteful spending, and accrue savings to the BOP through various competitive strategies which are designed to reduce contract costs. Savings generated by these strategies may then be used for other vital BOP programs.

The Program Analysis Branch is responsible for monitoring and evaluating BOP programs in order to provide timely and relevant information about specific program performance and Bureau-wide patterns and trends. Program Analysis Branch also assists BOP staff with the development of management information systems and trains them in the use of these systems to monitor, evaluate and plan.

The Strategic Management Branch facilitates, monitors, and evaluates the agency's implementation of the Federal Managers' Financial Integrity Act by coordinating management assessments, providing a quality assurance mechanism for the progress review process, and organizing the Year-End Management Control Report for the Director, which is forwarded to the Attorney General. The program provides a liaison service for the Bureau of Prisons' contacts with external audit agencies, such as the General Accounting Office, the Office of Inspector General, and the American Correctional Association. The Strategic Management Branch encourages the implementation of strategic planning through training, publication, and the dissemination of strategic planning updates, and by providing assistance to agency managers in the development and implementation of strategic goals, objectives and action plans. The branch is responsible for soliciting input from staff regarding needed changes in the agency and providing feedback on suggestions.

The Administration Division provides the resources and support necessary for BOP to perform in an effective and efficient manner. This includes the development of budget requests; the stewardship of financial resources; procurement and property management; the design and construction of new correctional facilities, as well as the renovation and maintenance of existing facilities; and other administrative support services required by the organization.

The Budget Development Branch formulates BOP's resource requests including budget submissions, amendments, supplementals, and reprogrammings; justifies the budget estimates by preparing formal budget exhibits, written testimony and detailed data which support the agency's funding requests before the Department of Justice, the Office of Management and Budget, and the House and Senate Appropriations Subcommittees; and represents the BOP at various interagency budget related workgroups.

The Budget Execution Branch ensures operation within the appropriated funding and position levels by developing and overseeing adequate monitoring and control mechanisms; develops national policy to ensure compliance with requirements and instructions issued by agencies such as the Department of Justice, Office of Management and Budget, General Accounting Office, Department of Treasury, etc.

The Finance Branch ensures that all financial transactions are recorded in an accurate and timely manner in the financial management system in order to produce the financial reports necessary for the monitoring of the financial status of the Bureau and its institutions; develops BOP accounting policies and internal controls to ensure compliance with the requirements of the Department of Justice, the Office of Management and Budget, the General Services Administration, and the Department of Treasury; pays Central Office vendor and travel payments; manages contract programs which support the financial management mission of the Bureau such as American Express Travel Charge Card Program, the Mellon Bank third party draft program, the Visa Card Small Purchase Payments, and the Central Office Travel Management Center contract; and develops specifications for the design and operation of the Bureau's financial management system. The Finance Branch also oversees BOP's conversion to the Department's Financial Management System.

The Capacity Planning Branch coordinates and analyzes information related to capacity planning, covering such varied areas as female offenders, detention needs, medical facilities, population projections, new facilities construction and contract confinement; produces and updates the Bureau's Capacity Plan, which is the official composite plan for the utilization of correctional capacity; and produces the Federal Detention Plan, which is an interagency plan between the Bureau of Prisons, Immigration and Naturalization Service, and the U. S. Marshals Service. The Branch is also responsible for reviewing rated capacity changes at each institution and assuring that those changes are properly reflected in SENTRY.

Facilities Management directs and monitors the existing institution repair and improvement program; establishes policy governing the maintenance of existing facilities; and provides technical support to both BOP staff and outside entities regarding architectural,

engineering and facilities issues.

The Design and Construction Branch is responsible for the planning, design, and construction of new institutions for the Bureau of Prisons; develops design and related technical standards and policies for development of new BOP facilities; participates in BOP's long range capacity expansion planning; and provides technical advice and support within BOP and to outside entities related to architectural, engineering, construction, and project management issues.

The Procurement and Property Branch develops Bureau-wide procurement policy to ensure goods and services are acquired in a timely manner, within Federal statutory regulations, and at the best value to the Government; provides accurate accountability and control of BOP's property resources, and provides direct national contract services in the areas of community corrections, new facility construction, prime vendor pharmaceutical products, and other large volume requirements; provides contract oversight to regions and institutions.

The Site Selection and Environmental Review Branch identifies sites for new correctional facilities; provides public information programs for local officials and the general public to garner support for proposed facilities; and coordinates the development of the required environmental impact studies.

Finally, the Trust Fund Branch provides commissary services; ensures the financial integrity of the Trust Fund and Inmate Deposit Fund; and implements and manages a Bureau-wide inmate telephone calling program.

INITIATIVE #1

	Perm. Pos.	FTE	Amount (\$000)
Activations			
Inmate Care and Programs	915	220	\$22,738
Institution Security & Administration	1,008	249	33,275
Contract Confinement	20	8	19,987

Proposed Actions

This initiative seeks to address the following objectives:

- 1) Activate 3 sentenced capacity facilities, 2 expansions and 2 privately-operated facilities in FY 1997, which will add 6,944 beds.
- 2) Reduce the overcrowding rate.
- 3) Provide offenders incarcerated in BOP with a nutritional diet; comprehensive, accessible health care services; clean clothing, footwear, linens, toiletries and stationery; and to provide manage the Inmate Trust Fund.
- 4) Establish a safe, humane environment which minimizes to the extent possible, the detrimental effects of confinement; and to provide a variety of counseling programs which are most likely to aid inmates in a successful adjustment to the institution and, upon release, a successful return to the community.
- 5) Provide general and occupational education opportunities to all inmates desiring or required to participate; provide Federal offenders with activities to improve their physical and mental health and promote the development of personal, interpersonal and social skills to better enable them to cope with the psychological and physical impact of their incarceration; and to enhance post-release employment and positive life styles.
- 6) Provide all prisoners with reasonable and equitable opportunities to pursue individual religious beliefs and practices within the constraints of confinement.

For FY 1997, BOP is requesting a total of \$76,000,000, 1,943 positions and 477 FTE for those facilities that will require activation resources in FY 1997. These facilities will add a total of 6,944 critically needed beds. Opening a new facility is the culmination of four steps: site selection, design, construction, and activation. To avoid delays in acceptance of inmates, it is necessary to staff facilities a minimum of three months prior to activation. Equipment that requires a long lead-time is ordered at least six months prior to activation.

FY 1997 activations of BOP-operated facilities include FCC Beaumont, Texas, FMC Butner, North Carolina and FCI Edgefield, South Carolina. Expansions will include Carswell AFB, Texas, and Morgantown, West Virginia. Activations of private operated facilities include Seattle, Washington and Elkhart, Ohio.

PERFORMANCE MEASUREMENT TABLE : PRESENTED BY GENERAL GOAL

GENERAL GOAL 1: BOP will proactively manage its offender population to ensure safe and secure operations									
PERFORMANCE INDICATOR INFORMATION			PERFORMANCE TARGETS AND ACTUAL RESULTS						
Type of Indicator	Performance Indicators		1993 Actual	1994 Actual	1995 Actual	1996 Target	1996 Estimate	1997 Target	
Input	1 Salaries and Expenses Budget Actual/Requested Amount (\$000s) FTE		1,750,484 21,338	1,950,592 23,000	2,394,400 24,913	2,567,578 26,817	2,567,578 26,817	2,888,316 29,074	
Output/ Activity	2 Number of Beds Added		9,083	7,141	7,288	5,528	5,528	12,416	
	3 Number of Facilities Added		394	239	2,441	348	348	377	
	4 Number of Contract Beds Added								
Intermediate Outcome	5 Institution and CCC Transfers		N/A	173,085	167,241	173,500	173,500	180,500	
	6 Releases		21,446	24,026	23,177	23,000	23,000	26,000	
	7 Total End of Year Population		88,905	95,162	100,938	105,128	105,128	111,347	
	8 Total Number of Facilities		71	75	83	89	89	98	
	9 Prison Impact Statements Provided vs Requested		N/A	N/A	100%	100%	100%	100%	
End Outcome	10 Overcrowding Level		39%	33%	23%	22%	27%	11%	
	11 End of Year Capacity		57,610	64,731	72,039	77,567	77,567	89,983	
	12 Assault Rate		2.17%	2.68%	2.65%	2.78%	2.78%	2.90%	
	13 Mortality Rate		0.11%	0.11%	0.11%	0.11%	0.11%	0.11%	
	14 Suicide Rate		0.0%	0.1%	0.0%	0.1%	0.1%	0.1%	
	15 Escape Rate from Secure Institutions		0.0%	0.0%	0.1%	0.1%	0.1%	0.1%	
A. Definitions of Terms or Explanations for Indicators									
B. Factors Affecting FY 95 Program Performance									
C. Factors Affecting Selection of FY 96 and 97 Targets									

PERFORMANCE MEASUREMENT TABLE : PRESENTED BY GENERAL GOAL

GENERAL GOAL 2: BOP will have a competent and representative workforce meeting the organization's needs up to and beyond the year 2000.										
PERFORMANCE INDICATOR INFORMATION			PERFORMANCE TARGETS AND ACTUAL RESULTS							
Type of Indicator	Performance Indicators	1993 Actual	1994 Actual	1995 Actual	1996 Target	1996 Estimate	1997 Target			
Input	1. Salaries and Expenses Budget Actual/Requested Amount (\$000s) FTE	1,750,484 21,338	1,950,592 23,000	2,294,400 25,911	2,567,578 26,817	2,567,578 26,817	2,888,316 29,074			
Output/ Activity	2. FTE Utilization Rate	90%	99%	98%	99%	99%	100%			
Intermediate Outcome	Number of Staff Attending: 3. Staff Training at Glyco 4. External Training 5. Management/Speciality Training 6. Internal Training 7. Ethics Training 8. Number of National Recruitment Activities/Trips	2,800 9,172 3,780 110,000 14,977 350	3,243 11,100 4,202 140,000 25,000 350	4,144 12,500 4,500 165,000 26,000 400	4,960 14,000 4,800 175,000 28,600 500	4,960 14,000 4,800 175,000 28,600 500	4,960 15,200 5,100 200,000 31,000 500			
End Outcome	9. Overall Staff to Inmate Ratio 10. Correctional Staff to Inmate Ratio 11. Percentage Minority and Female Staff 12. Staff Turnover Rate (BOP facilities only) 13. Number of Institutions NOT Accredited by ACA	1:3.16 1:8.00 47% 6.5 19	1:3.01 1:8.00 48% 6.4 19	1:3.11 1:8.00 50% 6.4 29	1:3.14 1:8.00 49% 6.4 32	1:3.14 1:8.00 49% 6.4 32	1:3.10 1:8.00 49% 6.4 32			
A. Definitions of Terms or Explanations for Indicators:										
B. Factors Affecting FY 95 Program Performance.										
14. New facilities are included, which has raised the number not accredited										
C. Factors Affecting Selection of FY 96 and 97 Targets:										

PERFORMANCE MEASUREMENT TABLE: PRESENTED BY GENERAL GOAL

GENERAL GOAL 3: BOP will maintain its facilities in operational sound conditions and in compliance with security, safety and environmental requirements								
PERFORMANCE INDICATOR INFORMATION		PERFORMANCE TARGETS AND ACTUAL RESULTS						
Type of Indicator	Performance Indicators	1993 Actual	1994 Actual	1995 Actual	1996 Target	1996 Estimate	1997 Target	
Input	1. Institution Security & Administration Actual/Requested Amount (\$000s) FTE	833,197 12,771	934,535 13,786	1,127,175 14,905	1,212,909 16,582	1,212,909 16,582	1,353,024 17,869	
Output/Activity	2. Major Maintenance Projects Completed 3. Minor Maintenance Projects Completed	1,193 248,116	1,458 263,602	1,420 261,692	1,054 314,988	1,054 314,988	1,264 344,850	
Intermediate Outcome	4. Safety Inspections 5. Fire Investigations 6. Hazardous Waste & Recycling Programs	4,720 375 74	5,191 432 80	5,392 462 83	5,792 492 100	5,792 492 100	6,242 541 120	
End Outcome	7. Court Ordered Remedial Projects 8. Dollar Value of Fines for Violations 9. Number of Facilities Over 30 Years Old	0 0 24	0 0 24	0 0 24	0 0 24	0 0 24	0 0 24	
A. Definitions of Terms or Explanations for Indicators								
B. Factors Affecting FY 95 Program Performance								
C. Factors Affecting Selection of FY 96 and 97 Targets								

PERFORMANCE MEASUREMENT TABLE : PRESENTED BY GENERAL GOAL

GENERAL GOAL 4: BGP will manage its operations and resources in a competent and effective manner which encourages creativity and motivation in development of exemplary programs as well as excellence in maintaining the basics of correctional management. BGP continually strives toward improvements in its effective use of resources and its efficient delivery of services.								
PERFORMANCE INDICATOR INFORMATION			PERFORMANCE TARGETS AND ACTUAL RESULTS					
Type of Indicator	Performance Indicators	1993 Actual	1994 Actual	1995 Actual	1996 Target	1996 Estimate	1997 Target	
Input	1 Institution Security and Administration Amount (\$000s) FTE	833,197	934,535	1,127,175	1,212,969	1,212,969	1,353,024	
	2 Management and Administration Amount (\$000s) FTE	12,771	13,786	14,905	16,582	16,582	17,869	
Output/Activity	Actual/Requested	115,476	118,219	114,752	124,495	124,495	128,837	
	Actual/Requested	1,201	1,259	1,228	1,237	1,237	1,237	
	3 Program Statements Issued	90	70	100	100	100	75	
	4 Change Notices Issued	40	60	90	90	90	45	
	5 Operations Memoranda Issued	150	300	300	300	300	270	
	6 Technical Reference Manuals	N/A	5	20	30	30	24	
	7 Electronic Pages Issued	35,000	70,000	130,000	130,000	130,000	130,000	
	8 Electronic Forms Issued	40	300	700	700	700	700	
	9 Number of Prisoners Moved	51,000	53,000	55,000	58,000	58,000	62,000	
Intermediate Outcome	10 Strategic Plan	Yes	Yes	Yes	Yes	Yes	Yes	
	11 Sentencing Plan	N/A	N/A	Yes	Yes	Yes	Yes	
End Outcome	12 Completes	1	2	2	4	4	4	
	13 Annual Per Capita Cost	20,885	21,352	22,922	23,609	24,318	25,047	
	14 Annual Medical Per Capita Cost	3,121	3,146	3,106	3,203	3,203	3,302	
A. Definitions of Terms or Explanations for Indicators								
B. Factors Affecting FY 96 Program Performance								
C. Factors Affecting Selection of FY 96 and 97 Targets								
13 and 14 FY 1996 and FY 1997 estimates do not reflect increases, but general pricing level adjustments								

PERFORMANCE MEASUREMENT TABLE, PRESENTED BY GENERAL GOAL

GENERAL GOAL 5 BOP provides services and programs to address inmate needs, providing productive use-of-time activities, and facilitating the successful reintegration of inmates into society, consistent with community expectations and standards.						
PERFORMANCE INDICATOR INFORMATION		PERFORMANCE TARGETS AND ACTUAL RESULTS				
Type of Indicator	Performance Indicators	1993 Actual	1994 Actual	1995 Actual	1996 Estimate	1997 Target
Input	1 Inmate Care and Programs Amount (\$900's) PLE	669,341	757,831	871,021	1,001,241	1,098,763
Output/Activity	2 Adult Continuing Education 3 General Education Development 4 Occupational Education 5 Parole and Community Education 6 Parole and Community Language 7 Parole and Community Language 8 Parole and Community Language 9 Parole and Community Language 10 Parole and Community Language 11 Parole and Community Language 12 Parole and Community Language	31,300 31,300 31,300 31,300 31,300 31,300 31,300 31,300 31,300 31,300 31,300 31,300	31,300 31,300 31,300 31,300 31,300 31,300 31,300 31,300 31,300 31,300 31,300 31,300	31,300 31,300 31,300 31,300 31,300 31,300 31,300 31,300 31,300 31,300 31,300 31,300	31,300 31,300 31,300 31,300 31,300 31,300 31,300 31,300 31,300 31,300 31,300 31,300	31,300 31,300 31,300 31,300 31,300 31,300 31,300 31,300 31,300 31,300 31,300 31,300
Intermediate Outcome	13 Adult Continuing Education 14 General Education Development 15 Occupational Education 16 Parole and Community Education 17 Parole and Community Language 18 Parole and Community Language 19 Parole and Community Language 20 Parole and Community Language 21 External Mandatory Review of All BOP Inmate Double	18,113 N/A N/A N/A N/A N/A N/A N/A N/A N/A N/A N/A	18,000 1,560,188 560 19,000 1,560,188 560 19,000 1,560,188 560 19,000 1,560,188 560 19,000	18,000 2,004,000 560 19,000 2,004,000 560 19,000 2,004,000 560 19,000 2,004,000 560 19,000	18,000 2,107,800 560 19,000 2,107,800 560 19,000 2,107,800 560 19,000 2,107,800 560 19,000	18,000 2,310,000 560 19,000 2,310,000 560 19,000 2,310,000 560 19,000 2,310,000 560 19,000
End Outcome	21 External Mandatory Review of All BOP Inmate Double	N/A	70%	70%	70%	100%

A. Definitions of Terms or Explanations for Indicators

B. Factors Affecting FY 95 Program Performance: 5 and 17, reduction due to loss of Pull Grants

C. Factors Affecting Selection of FY 96 and 97 Targets

PERFORMANCE MEASUREMENT TABLE : PRESENTED BY GENERAL GOAL

GENERAL GOAL 6 BOP will continue to seek opportunities for expanding the involvement of community, local, state, and Federal agencies in improving the effectiveness of the services it provides to offenders and constituent agencies. The active participation by Bureau staff to improve partnerships will allow the Bureau to carry out its mission within the criminal justice system and to remain responsive to other agencies and the public. BOP will develop partnerships to focus the shared responsibility for the establishment of a supportive environment promoting the reintegration of offenders into the community									
PERFORMANCE INDICATOR INFORMATION		PERFORMANCE TARGETS AND ACTUAL RESULTS							
Type of Indicator	Performance Indicators	1993 Actual	1994 Actual	1995 Actual	1996 Target	1996 Expenditures	1997 Target		
Input	1 Management and Administration Amount (\$000s)	115,476	118,239	114,752	124,495	124,495	128,837		
	FTE	1,201	1,259	1,228	1,237	1,237	1,237		
2 Contract Confinement	Amount (\$000s)	132,270	140,197	179,422	228,931	228,931	309,690		
	FTE	208	198	251	287	287	305		
Output/ Activity	3 Number of Privately Operated Facilities	N/A	1	1	2	2	5		
	4 Number of CCC Beds Contracted	5,086	5,198	5,240	5,285	5,285	5,300		
Intermediate Outcome	5 National Institute of Corrections/Office of Correctional Job Trng. and Placement	Yes	Yes	Yes	Yes	Yes	Yes		
	6 International Assistance Program	Yes	Yes	Yes	Yes	Yes	Yes		
	7 Legislative Liaison Program	Yes	Yes	Yes	Yes	Yes	Yes		
	8 Publications/Videos About BOP	Yes	Yes	Yes	Yes	Yes	Yes		
End Outcome	9 Number of Volunteers	6,000	6,000	6,000	6,000	6,000	6,000		
	10 Percentage of BOP Population in Alternative Confinement	10%	10%	10%	10%	10%	10%		
	11 Urban Work Camps	9	9	9	9	9	9		
	12 Alternative Confinement Contracts	638	652	646	637	637	640		
13 CCC Utilization Rate	108%	99%	110%	100%	100%	100%	100%		
	14 Number of Technical Asst./Training Events for State/Local Agencies	395	272	346	376	376	477		
	15 Number of State/Local Agencies Assisting Offenders/Ex-Offenders in Job Training and Placement through Federal Programs	N/A	N/A	N/A	20	20	25		
A. Definitions of Terms or Explanations for Indicators									
B. Factors Affecting FY '96 Program Performance									
C. Factors Affecting Selection of FY '96 and '97 Targets									

Federal Prison System
Salaries and Expenses
Financial Analysis - Program Charges
(Dollars in thousands)

Grade	Item	Inmate Care & Programs		Institution Security and Administration		Contract		Management & Administration		Total Program Charges	
		Pos.	Amount	Pos.	Amount	Pos.	Amount	Pos.	Amount	Pos.	Amount
	GM-15	27	\$2,643	6	\$353	---	---	---	---	31	\$2,996
	GM-14	3	180	11	708	---	---	---	---	14	888
	GM-13	81	2,776	23	1,282	2	8108	---	---	76	4,127
	GM-12	49	2,243	24	1,089	2	32	---	---	76	3,434
	GM-11	124	20,012	63	2,024	2	76	---	---	179	22,112
	GM-10	132	4,187	65	1,736	14	462	---	---	201	6,345
	GM-09	47	1,343	243	8,844	---	---	---	---	290	9,287
	GM-08	---	---	411	10,600	---	---	---	---	411	10,600
	GM-07	36	813	77	1,786	---	---	---	---	112	2,601
	GM-06	---	---	---	---	---	---	---	---	---	---
	Ungraded	47	1,848	107	4,434	---	---	---	---	164	6,282
	Total Positions and annual rate	815	35,536	1,058	30,993	30	719	---	---	1,343	37,185
	Leaves (-)	(662)	(26,277)	(762)	(23,264)	(12)	(431)	---	---	(1,466)	(10,282)
11.1	Workers and Compensation	223	8,881	248	7,539	8	286	---	---	477	16,706
11.2	Other personnel compensation	14	1,296	6	360	---	---	---	---	20	1,652
11.3	Special Personal services payment	---	---	---	---	---	---	---	---	---	---
12.0	Total Workers and compensation	237	10,154	252	7,892	8	286	---	---	497	18,374
21.0	Personal benefits	---	4,432	---	3,530	---	---	---	---	---	7,962
21.1	Travel and travel of persons	---	---	---	1,432	---	36	---	---	---	1,468
22.0	Transportation of things	---	---	---	1,186	---	20	---	---	---	1,206
22.1	Rental payments to GSA	---	---	---	---	---	---	---	---	---	---
22.2	Rental payments to others	---	---	---	---	---	---	---	---	---	---
22.3	Comm. utilities and misc.	---	---	---	686	---	---	---	---	---	686
23.0	Printing and reproduction	---	---	---	---	---	---	---	---	---	---
24.0	Other services	---	2,524	---	11,347	---	19,387	---	---	---	33,298
25.0	Supplies and materials	---	2,860	---	3,303	---	40	---	---	---	6,203
31.0	Equipment	---	2,856	---	3,052	---	86	---	---	---	6,497
41.0	Grants, subsidies, and contracts	---	---	---	---	---	---	---	---	---	---
42.0	Insurance claims and indemnities	---	---	---	---	---	---	---	---	---	---
	Total Workers and Other, 1997	237	22,848	252	33,187	8	19,387	---	---	497	75,000

**Federal Prison System
Salaries & Expenses**
**Status of Congressionally Requested
Studies, Reports, and Evaluations**

The Conference Report for the Department of Commerce, Justice, and State, the Judiciary and Related Agencies for Fiscal Year 1996 directed the Bureau of Prisons to submit the following report back to the Committees on Appropriations of both the House and Senate:

1 Health Care Privatization Demonstration Project Report due March 1, 1996

BOP is to develop and submit a plan which utilizes private and other contractors to provide medical care for inmates, including the use of telemedicine and electronic media. The project is to be conducted at a maximum of one FCC beginning in Fiscal Year 1996 and for the duration of not less than three years as outlined in the Senate Report.

This plan was prepared and forwarded to Congress

2 National Institute of Corrections (NIC) Reimbursement Plan due June 30, 1996

Funding for NIC will be included in BOP's Salaries and Expenses budget. Contract confinement program: NIC is to continue all functions currently performed as outlined in sections 4351-5353 of Title 18, USC, with the exception of grants. BOP has been directed to, when practical and to the maximum extent possible, pursue reimbursement from State and local entities for services and to present a plan that outlines a reimbursement structure that will fully support these activities.

This study is underway and will be provided by the due date

**FY 1995 Report Update
National Institute of Corrections**

The Conference Report for the Department of Commerce, Justice, and State, the Judiciary and Related Agencies Appropriations Bill, Fiscal Year 1995, (House Report 101-307) appropriated \$200,000 for NIC to perform an in-depth study of the District of Columbia Department of Corrections. This study has been completed and provided to the Committees on Appropriations of both the House and Senate, and D.C. Subcommittee.

Federal Prison System
Salaries and Expenses
FY 1997 Priority Ranking

Base Program		Program Increases	
Program	Ranking	Program	Ranking
Inmate Care & Programs.....	1	Activations.....	1
Institution Security and Administration.....	2		
Contract Confinement.....	3		
Management and Administration.....	4		

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Federal Prison System
Salaries and Expenses
Detail of Permanent Positions by Category
Fiscal Years 1995 - 1997

Category	1995 Enacted	1996 Request	1997 Request
Attorneys (809)	100	103	3
Paralegal Specialist (850)	101	111	5
Other Legal and Kindred (800-899)	479	482	70
Corrections Institution Administration (208)	1,599	1,649	39
Corrections Officers (207)	12,947	13,592	745
Other Misc. Occupations (201-089)	568	593	30
Soc. Sciences, Econ. and Kindred (100-199)	2,101	1,981	104
Personnel Management (200-299)	1,010	1,043	15
General Admin. clerical and office services (300-399)	1,853	2,050	81
Biological science (400-499)	3	3	3
Accounting and Budget (500-599)	987	1,001	19
Medical, Dental & Public Health (600-799)	2,121	2,227	928
Engineering and Architecture Group (800-899)	203	203	0
Information and Arts Group (1000-1099)	15	15	0
Business and Industry Group (1100-1199)	422	441	7
Mathematics and Statistics Group (1200-1299)	0	0	0
Equipment, Facilities and Service Group (1300-1399)	437	486	38
Education Group (1400-1499)	924	971	38
Supply Group (1500-1599)	184	186	6
Ungraded (january, farm, mechanical & construction)	2,847	3,120	154
Total	29,001	30,209	1,880
Washington	843	843	0
U.S. Field	28,158	29,366	1,880
Total	29,001	30,209	1,880
			32,089

Federal Prison System
Salaries and Expenses
Summary of Law Enforcement and Administrative Positions
FY 1996 - 1997

	1996 Appropriation Anticipated		1997 Program Increases		1997 Request Level	
	Pos.	WY	Pos.	WY	Pos.	WY
Primary Law Enforcement.....	28,453	25,099	1,880	2,257	30,333	27,356
Administrative.....	1,756	1,591	0	0	1,756	1,591
Total.....	30,209	26,690	1,880	2,257	32,089	28,947

Federal Prison System
Salaries and Expenses
Summary of change Congressional (1996 - 1997)

	Pos.	FTE*	BA (\$000)
1996 Appropriation Anticipated.....	30,209	26,817	\$2,567,578
1997 Adjustments to base:			
Increases (Automatic, non policy):			
1997 Pay Raise and locality pay adjustment (3.0%)	0	0	33,068
Annualization and increase of 1996 Pay Raise (2.4%)	0	0	11,381
Annualization of 1996 Locality Pay Adjustment	0	0	4,483
\$80 Supplemental Retirement Contribution	0	0	2,017
Accident Compensation	0	0	662
Medical Costs (5.2%)	0	0	5,081
Travel - mileage Allowance Rate increase (25 to 30 cents)	0	0	386
Commerce Business Daily printing increase	0	0	22
General Pricing Level Adjustments (3.1%)	0	0	14,887
Total, Increases.....	0	0	72,007
Administrative Streamlining Reductions.....	(83)	(63)	0
Annualization of 1996 Program Increases:			
FY 95 Carryover.....	0	526	47,000
Weseca, MN (2/96) 1,150 beds (1995 Annualization)	0	43	1,500
Taft, CA FCI 2,048 beds (4/96 low & 5/96 minimum)	0	5	26,373
Brooklyn, NY MCC (11/96) 1,229 beds	0	5	30,768
Beaumont, TX FCC (6/96) 1,536 beds Low	0	351	26,316
Beaumont, TX FCC (5/97) 512 beds Minimum	0	62	2,841
Forrest City, AR FCI (9/96) 1,536 beds Low	0	380	28,125
Yazoo, MS FCI (11/96) 1,536 beds Low	0	381	28,721
Lompoc, ICC (9/96) 200 beds	0	18	0
Tallahassee, FL (7/96) 150 beds	0	15	1,172
Milan, MI (3/97) 150 beds	0	15	1,906
Ft. Worth (9/96) 150 beds Camp	0	21	1,267
Lexington, KY (9/95) 150 beds Camp	0	21	0
Subtotal, Annualization of 1996 Program Increases.....	0	1,843	196,969

Federal Prison System
Salaries and Expenses
Summary of change Congressional (1996 - 1997)

	Pos.	FTE*	BA (\$000)
Other:			
1996 Population Increase.....	0	0	(15,464)
Transfer to the Working Capital Fund for Mail Management.....	0	0	(101)
Transfer to Violent Crime Reduction Programs.....	0	0	(9,993)
Subtotal, Other.....	0	0	(24,268)
1997 Base.....	30,146	28,697	2,812,318
1997 Program Increases:			
Activation of Sentenced Capacity BOP:			
Beaumont, TX FCC 960 beds High (12/96).....	453	169	17,153
Butler, NC FMC 763 beds (5/97) (613 medical 250 Low).....	739	191	18,299
Edgewood, SC FCI 1,664 (1,152 beds medium & 512 beds minimum) (5/97 medium and 5/97 minimum).....	524	76	13,611
Expansions BOP:			
Carroll AFB, TX 512 beds Low (5/97).....	149	28	4,733
Morgantown, Expansion 320 beds Low (5/97).....	58	4	1,907
Activation of Private Operated Facilities:			
Seattle, WA 677 beds Detention Facility 10/96.....	10	4	8,668
Elkton, OH 2,048 beds 2/97(512 minimum & 1,536 beds low).....	10	4	11,129
Subtotal, Activations (6,944 beds).....	1,943	477	76,000
Total, Program Increases.....	1,943	477	76,000
1997 Estimate.....	32,089	29,074	2,888,318

* Includes 127 reimbursable FTEs

**Federal Prison System
Salaries and Expenses
Amalgamation of Adjustments to Base
(dollars in thousands)**

Est. VT Amount

1997 Adjustment to Base:

Streamlining.....
Consistent with the President's mandate to reinvent government and the National Performance Review, SOP is streamlining personnel such as: Accountants, Auditors, Budget, Personnel, and Acquisition Specialist. In FY 1997, SOP will reduce 63 positions and 63 workyears in these areas.

-63 -63 ---

Transfers:

Violent Crime Reduction Program.....
The President's Executive Order 12812 of public law 101-322 for substance abuse treatment in Federal Prisons, the amount will be used to fund the Violent Crime Reduction Program. This transfer \$6,693,000 from the salaries and expenses appropriation to the Violent Crime Reduction Trust Fund.

... (8,493)

Transfer of Resources for Mail Management Service.....
This redistribution is necessary in order to align base funding according to the allocation that is being redistributed. The 1996 Mail Management Service overhead costs. The funds to be redistributed will be based on the 1995 survey of mail volume, since this represents the most current information available.

... (101)

Increases (decreases, net):

1. **1997 pay raise and locality pay adjustment**.....
This request provides for the proposed 3.0 percent pay raise and locality pay adjustments to be effective in January of 1997 and is consistent with Administrative policy included in the 1997 President's Budget request. The amount requested, \$33,048,000, represents the pay amounts for three quarters of the fiscal year plus appropriate benefits (\$24,140,000 for pay and \$9,928,000 benefits = \$33,068,000).
2. **Accumulation and increase of 1996 pay raise**.....
This pay accumulation represents first quarter amounts (October through December) of the 1996 pay raise of 2.6 percent, plus appropriate personnel benefits and the additional amount required above the 2.2 percent originally requested for the three quarters of the year (\$8,315,000 for pay and \$3,076,000 for benefits).
3. **Accumulation of 1996 locality pay adjustment**.....
This adjustment represents the 1st quarter amounts of the locality pay increase received January 1996, plus appropriate personnel benefits.

... 33,048

... 11,391

... 4,433

INCREASES (Decreases, minus sign)

Est. 1977 Amount

... 1,043 \$196,000

4. Appropriation of 1,043 positions approved in 1977 and 1978. This provides for the annualization of 1,043 additional positions approved in the 1977 and 1978 President's budget for activities of new prisons.

Approved
1978 Increase

Annualization
Benefit

Annual salary rate of 1,043 approved positions.....	971,953	947,200
Less: Depreciation.....	8,200	8,200
Associated employee benefits.....	2,055	2,055
Travel and transportation of persons.....	1,303	1,303
Transportation of things.....	1,047	1,047
Communications, utilities and other.....	1,319	1,319
Cost of services.....	4,148	4,148
Supplies and materials.....	14,176	14,176
Equipment.....	19,660	19,660
Total, costs subject to annualization.....	88,392	196,000

5. 1980 supplemental retirement contributions. For FY 1979 to 1980, agencies are required to remit into the Civil Service Retirement and Disability Fund an amount equal to 800 times the number of employees who, as of March 31 of that year, are covered by either the CSRS or FERS retirement system. The requested increase of \$2,017,000 provides for the increased increase (FY 1979 actual contribution less the amount included in FY 1978 President's budget). This adjustment will provide for the increased number of Department employees.

... 2,017

6. Accident Compensation. This increase reflects the billing provided by the Department of Labor (DOL) for the actual costs in 1979 of employees' accident compensation. The 1978 amount will be \$462,000.

... 442

7. Medical Services. The Department of Health and Human Services is projecting an increase in health care costs. The Department is applying a factor of 5.2 percent against medical services. An increase of \$5,081,000 will be required.

... 5,081

8. Travel-allowance allowance rate increase. The allowance rate has increased from 25 to 30 cents per mile. An increase of \$396,000 is requested in 1977 to cover this rate adjustment.

... 396

9. General Printing. The increase of \$22,000 covers the estimated cost for this new charge. The increase of \$22,000 covers the estimated cost for this new charge.

... 22

Increases (Automatic, non-policy)		Est.	VI	Amount
10.	General pricing level adjustments..... This request applies our pricing guidance as of June 11, 1995, to selected expense categories. The increased costs identified result from applying a factor of 3.1 percent against those subobject categories identified as having increased costs. The factor is applied to those categories identified by law or regulation. Generally, the factor is applied to supplies, materials, equipment, contracts with the private sector, printing costs, transportation costs, and utilities.	...	...	\$16,887
	Total mandatory increases.....	...	1,843	268,996
Decreases:				
1.	1996 Population Increase..... This reduction corresponds to 100 percent of the 1996 population increase requested in the FY 1996 President's Budget.	...	...	(15,464)
	Subtotal, decreases.....	...	...	(15,464)
	Total, adjustment to base.....	-63	1,780	244,738

**Federal Prison System
Salaries and Expenses
Summary of Requirements by Grade and Object Class**
(Dollars in thousands)

	1985 Actual		1986 Estimate		1987 Request		Increase/Decrease	
	Positions & Workyears	Amount	Positions & Workyears	Amount	Positions & Workyears	Amount	Positions & Workyears	Amount
Grades and salary ranges								
ES-6 \$118,000.....	1		1		1		0	
ES-5 \$114,000.....	6		6		6		0	
ES-4 \$108,400.....	10		10		10		0	
ES-3 \$103,800.....	3		3		3		0	
ES-2 \$98,300.....	9		9		9		0	
ES-1 \$94,700.....	13		13		13		0	
GS-15 \$88,300-90,000.....	382		386		427		31	
GS-14 \$85,815-78,581.....	418		473		487		14	
GS-13 \$84,856-64,814.....	1,026		1,036		1,112		76	
GS-12 \$81,926-54,506.....	1,957		2,042		2,117		75	
GS-11 \$74,981-45,475.....	4,793		4,974		5,553		579	
GS-10 \$71,838-41,368.....	288		288		288		0	
GS-09 \$68,912-37,668.....	3,173		3,281		3,419		136	
GS-08 \$68,175-34,032.....	4,992		4,869		5,159		290	
GS-07 \$63,634-30,728.....	7,841		7,912		8,323		411	
GS-06 \$61,269-27,660.....	1,450		1,512		1,624		112	
GS-05 \$19,081-24,805.....	172		224		224		0	
GS-04 \$17,065-22,176.....	37		37		37		0	
GS-03 \$15,183-18,747.....	0		0		0		0	
Ungraded positions.....	2,976	\$26,840	3,143	\$28,978	3,297	\$38,390	154	\$9,412
Locality pay.....	...	...	...	...	...	\$32,187	...	\$32,187
1987 pay increase.....	...	...	...	...	...	\$1,253,507	1,860	\$75,712
Total appropriated positions.....	28,007	\$1,081,532	30,209	\$1,178,795	32,088	\$1,253,507	1,860	\$75,712
Pay above stated annual rates.....	...	...	...	...	...	4,851	...	489
Leaves.....	(4,287)	(133,048)	(3,583)	(111,278)	(3,208)	(101,196)	377	10,082
Savings due to lower pay scale part of year.....	...	(4,437)	...	(5,589)	...	(8,047)	...	(2,478)
Net full-time permanent.....	24,720	\$23,937	26,627	\$1,077,300	28,881	\$1,153,115	2,257	\$75,815
Other than permanent.....	183	5,882	183	5,858	183	5,040	...	182
Other personnel compensation.....	1,074	\$8,860	1,126	\$5,598	1,236	\$102,498	109	\$9,900
Special personnel services payments.....	...	18,130	...	20,600	...	22,138	...	1,838
Total, workyears and personnel compensation.....	25,897	\$1,037,728	27,844	\$1,187,254	30,310	\$1,275,787	2,340	\$2,533
Average ES Salary.....	...	\$101,171	...	\$103,596	...	\$106,908	...	...
Average GS/GM Salary.....	...	\$35,066	...	\$36,908	...	\$37,021	...	...
Average GS/GM Grade.....	...	8.87	...	8.87	...	8.94	...	...
Average Ungraded Salary.....	...	\$38,976	...	\$39,425	...	\$40,647	...	...

Summary of Requirements by Grade and Object Class (Cont'd)

Object Class	1995 Actual		1996 Estimate		1997 Request		Increase/Decrease	
	Positions & Workyears	Amount	Positions & Workyears	Amount	Positions & Workyears	Amount	Positions & Workyears	Amount
11 Personnel compensation:								
11.1 Full-time permanent:	24,720	\$904,397	26,624	\$1,046,800	28,881	\$1,127,900	2,257	\$81,100
11.3 Other than full-time permanent:								
Temporary Employment:	176	5,192	176	5,353	176	5,519	0	166
Other part-time and intermittent employment:	17	490	17	505	17	521	0	16
11.5 Other personnel compensation:								
Overtime:	547	45,338	574	47,709	629	52,247	55	4,538
Other compensation:	527	43,612	554	45,987	607	50,249	53	4,382
11.8 Special personnel compensation:	0	19,130	0	20,500	0	22,136	0	1,636
Total:	25,987	1,018,159	27,945	1,166,754	30,310	1,258,572	2,365	91,818
Reimbursable Workyears Full-time permanent:	(127)		(127)		(127)		0	
12 Personnel benefits:		377,853		453,200		490,751		37,551
13 Benefits for former personnel:		0		0		0		0
21 Travel and transportation of persons:		32,158		33,400		36,400		3,000
22 Transportation of things:		10,500		11,500		12,600		1,100
23.1 GSA rent:		8,187		8,441		8,441		0
23.2 Rental payments to others:		2,279		2,400		2,400		0
23.3 Communications, utilities and misc. charges:		104,632		118,400		130,400		12,000
24 Printing and reproduction:		3,885		3,986		4,200		214
25.1 Consulting services:		301		301		315		14
25.2 Other services:		121,277		132,000		145,000		13,000
25.3 Purchase of goods and services from govern:		19,000		21,600		24,000		2,400
25.4 Operation of GOCO's:		0		15,000		24,000		9,000
25.6 Medical Care:		56,000		63,000		69,000		6,000
25.7 Operations & Maintenance of equipment:		9,000		10,000		11,000		1,000
25.8 Subsistence & Support of persons:		149,000		179,000		196,900		17,900
26 Supplies and materials:		239,136		282,600		321,516		28,916
31 Equipment:		98,281		51,000		57,000		6,000
32 Lands and structures:		2,592		2,592		2,592		0
41 Grants, subsidies, and contributions:		3,327		1,314		1,314		0
42 Insurance claims and indemnities:		11,064		11,064		11,500		436
43 Interest and dividends:		176		176		176		0
Total direct obligations:		2,266,807		2,577,728		2,878,077		300,349

Summary of Requirements by Grade and Object Class (Cont'd)

Object/Class	1995 Actual		1996 Estimate		1997 Request		Increase/Decrease	
	Positions & Workyears	Amount	Positions & Workyears	Amount	Positions & Workyears	Amount	Positions & Workyears	Amount
ALLOCATION TO DEPARTMENT OF HEALTH AND HUMAN SERVICES								
11.1 Personnel compensation:								
Military.....	0	\$19,570	0	\$20,500	0	\$21,215	0	\$715
Total workyears and personnel compen.....	0	19,570	0	20,500	0	21,215	0	715
Other Objects:								
12.1 Personnel benefits: Military.....		7,601		7,750		8,080		330
13 Benefits for former personnel.....		0		0		0		0
21 Travel and transportation of persons.....		0		0		0		0
22 Transportation of things.....		0		0		0		0
24 Printing and reproduction.....		0		0		0		0
25 Other services.....		422		422		444		22
Total direct obligations, HHS Allocation.....	0	27,593	0	28,672	0	29,739	0	1,067
Total obligations Salaries and Expenses.....	25,987	2,294,400	27,845	2,608,400	30,310	2,807,816	2,365	301,416
Unobligated balance, start-of-year.....		(47,000)		(58,322)		(19,500)		
Unobligated balance, ending.....		14,000		0		0		
Unobligated balance, end-of-year.....		58,322		19,500		0		
Total Requirements.....		2,319,722		2,597,578		2,868,316		
Revelation of obligations to outlay:								
Total obligations.....		2,294,400		2,608,400		2,807,816		
Obligated balance, start-of-year.....		287,500		329,200		401,600		
Obligated balance, end-of-year.....		(329,200)		(401,600)		(524,416)		
Outlays.....		2,232,700		2,534,000		2,785,000		

Revision Date 14-MAR-85 Print Date 14-Mar-85		Federal Prison System Salaries and Expenses Schedule of Motor Vehicles										
Method of Acquisition and Type of Vehicle	End-of-Year Inventory	1984		1985		1986		1987		1988		
		Acquired	Disposed	Acquired	Disposed	Acquired	Disposed	Acquired	Disposed	Acquired	Disposed	
Grand Totals:												
Large Sedan	123	48	22	147	60	32	180	71	116,000	36	218	
Medium Sedan	81	3	5	79	10	10	79	11	16,000	8	82	
Subcompact Sedan	66	33	19	80	43	19	108	47	12,000	37	128	
Station Wagon	70	8	7	72	9	10	71	10	18,000	8	72	
Van 4x2	341	106	64	363	118	90	419	128	21,000	78	470	
Van 4x4	0	0	0	0	0	0	0	0	0	0	0	
Truck 4x2 Utility	344	90	85	369	106	86	379	117	24,000	104	392	
Truck 4x4 Utility	0	0	0	0	0	0	0	0	0	0	0	
Bus, Inter-urban	53	12	11	64	18	4	88	8	206,000	4	70	
Bus, School Type	48	0	2	43	6	2	46	8	25,000	3	48	
Special purpose:	78	12	5	82	14	11	80	18	25,000	8	82	
Carryall 4x4	3	0	2	9	6	8	10	6	21,000	6	11	
Other	0	0	0	0	0	0	0	0	0	0	0	
Tractor	0	0	0	0	0	0	0	0	0	0	0	
Pick-up 4x2	699	206	164	791	244	121	864	280	15,000	180	1,012	
Pick-up 4x4	143	43	25	121	64	59	189	71	15,000	87	372	
Sub-total Purchased:	2,023	621	362	2,252	700	447	2,505	756	\$19,860,100	600	2,761	

Leased:												
Large Sedan	1	1	1	1	4	3	2	2	55,000	3	1	
Other	18	3	8	12	6	8	13	4	5,000	8	12	
Sub-total Leased:	17	3	7	13	10	8	15	6	\$30,000	8	13	

Scholarship - Cost Expense:												
Large Sedan	1	6	0	7	3	1	9	5	80	3	11	
Medium Sedan	0	0	0	0	3	1	2	3	0	1	4	
Other	108	21	11	118	48	46	124	68	0	80	116	
Sub-total Leased:	109	27	11	125	52	42	136	74	80	64	145	

TOTAL VEHICLES	2,149	651	410	2,390	762	497	2,655	838	\$19,890,100	672	2,916	

Spring and 1997
07/19/97

**** Total funds required for purchase of the number & type of vehicles listed as acquired for 1998

2,380

2,955

2,916

Federal Prison System
 Federal Prison Institute
 Justification of Multi-Activity Program Changes
 (Dollars in thousands)

Estimates by Program	Bureau, FY 65 (High)			Bureau, FY 66			Estimated BCFI			Current A/B FY (Low)			Maximum FY (Low)		
	Pos	WT	Amount	Pos	WT	Amount	Pos	WT	Amount	Pos	WT	Amount	Pos	WT	Amount
Female Care and Programs															
Female Care	27	13	\$2,311	42	122	\$10,710	72	11	\$2,720	18	2	\$746	0	0	\$375
Female Programs	15	8	\$1,100	11	10	\$1,100	11	10	\$1,100	11	10	\$1,100	11	10	\$1,100
Subtotal	113	61	\$3,411	534	132	\$11,810	83	21	\$3,820	29	12	\$1,846	11	10	\$2,475
Institution Security and Administration															
Institution Security	271	101	\$5,112	129	32	\$1,487	237	35	\$1,811	50	12	\$642	29	2	\$115
Institution Administration	26	10	\$2,564	24	6	\$517	31	4	\$617	13	2	\$290	1	0	\$0
Institution Maintenance	40	15	\$5,817	44	12	\$4,231	64	6	\$850	22	4	\$1,711	2	1	\$64
Administration	342	127	\$12,249	200	32	\$2,581	335	49	\$3,244	85	18	\$2,351	32	3	\$1,290
Subtotal	684	243	\$23,252	397	62	\$8,886	677	92	\$6,532	170	36	\$4,093	64	6	\$1,469
Contract Contingent	0	0	\$0	0	0	\$0	0	0	\$0	0	0	\$0	0	0	\$0
Management and Administration	0	0	\$0	0	0	\$0	0	0	\$0	0	0	\$0	0	0	\$0
TOTAL	897	304	\$36,663	751	194	\$20,696	1,560	213	\$13,352	399	48	\$6,939	75	16	\$2,944

Justification of MARI - Active Program Changes, Cont'd

Estimates by Program	1997 Activations									
	(Private Operation)			(Private Operation)			(Private Operation)			Total Program Increases
	Pos	WY	Amount	Pos	WY	Amount	Pos	WY	Amount	
Inmate Care and Programs:										
Inmate Care.....	0	0	0	0	0	0	0	0	0	
Inmate Programs.....	0	0	0	0	0	0	0	0	0	
Subtotal.....	0	0	0	0	0	0	0	0	0	
Institution Security and Administration:										
Institution Security.....	0	0	0	0	0	0	0	0	0	
Institution Maintenance.....	0	0	0	0	0	0	0	0	0	
Institution Administration.....	0	0	0	0	0	0	0	0	0	
Staff Training.....	0	0	0	0	0	0	0	0	0	
Subtotal.....	0	0	0	0	0	0	0	0	0	
Contract Confinement.....	10	4	\$9,856	10	4	\$11,129	20	8	\$19,987	
Management and Administration.....	0	0	0	0	0	0	0	0	0	
TOTAL.....	10	4	\$9,856	10	4	\$11,129	20	8	\$19,987	

Department of Justice
Federal Prison System
Violent Crime Reduction Program, FPR
Estimates for Fiscal Year 1997
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Justification of Program and Performance
Federal Prison System
Violent Crime Reduction Program, FY95
Summary Statement
Fiscal Year 1997

The Violent Crime Control and Law Enforcement Act of 1994 (VCCLEA) established the Violent Crime Reduction Trust Fund (VCRTF). It also requires the Bureau of Prisons (BOP) to provide residential treatment to 50 percent of all eligible inmates by the end of FY 1995, 75 percent by the end of FY 1996 and 100 percent by the end of FY 1997.

In response to the rapid growth in the Federal inmate population having drug abuse histories, BOP has developed a comprehensive drug abuse treatment strategy consisting of four components: drug abuse education, non-residential drug abuse counseling services, residential drug abuse programs, and community-transitional services programming. Participation in BOP's Drug Abuse Education Program is required for all inmates who have a judicial recommendation for treatment and/or a history of drug use.

The Drug Abuse Education component provides the inmates with specific instruction on the risks involved in drug using and abusing behaviors, presents strategies toward living a drug-free lifestyle, while introducing the inmates to the concepts of drug treatment and motivating the inmates to volunteer for participation in BOP's residential drug abuse treatment program.

Non-residential Drug Abuse Counseling services consist of both group and individual therapy delivered through the psychological services department in each institution. These services offer flexibility and service delivery to those who do not meet the eligibility requirements for BOP's residential drug abuse treatment program. Non-residential treatment services are also provided for those inmates who have completed the residential treatment phase who remain in the institution, and who require aftercare treatment while awaiting release to the community.

The residential drug abuse program is designed for inmates who volunteer for extended drug abuse treatment. Six-to-twelve month residential programs are available in 35 institutions. The residential programs provide unit-based living with extensive treatment, treatment planning and individual and group counseling. In FY 1995, BOP opened three new residential programs and the existing program's Lexington expanded to include a 16-bed "pilot program" for inmates with dual-disorders (substance abuse and mental health).

Community transition programs were originally developed for inmates who complete the residential drug abuse treatment program and are released to the community. These programs provide a structured environment for the inmates' adjustment back into society. In FY 1995, the community transition program was extended to accept inmates who have been identified as requiring community treatment, as part of their community program plan while still in BOP custody, (i.e., Intensive Confinement Center inmates, inmates participating in the Electronic Monitoring program).

For 1997, total program increases of \$1,464,000, 30 positions and 23 positions will provide for five more residential drug abuse programs.

Violent Crime Reduction Program, FY98

for substance abuse treatment in federal prisons as authorized by Public Law 105-23, 1997, to be derived from the Violent Crime Reduction Trust fund and remain available until expended.

NOTE: A regular 1998 appropriation for this account has not been enacted at the time this budget was prepared. The 1998 amounts included in this budget are based on the levels provided in three continuing resolutions: P.L. 104-91, P.L. 104-92, and P.L. 104-99.

Federal Prison System
Violent Crime Reduction Programs
Crosswalk of 1998 changes
(Dollars in thousands)

Activity/Program	1998 President's Request			Reprogramming			1998 Appropriation		
	Pos.	WY	Amount	Pos.	WY	Amount	Pos.	WY	Amount
Inmate Care and Programs.....	262	234	\$13,500	0	0	0	262	234	\$13,500
Total.....	262	234	13,500	0	0	0	262	234	13,500

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Federal Prison System
Violent Crime Reduction Programs
Summary of Requirements
(Dollars in thousands)

Adjustments to base:	Pos.	WY	Amount
1996 Appropriation Anticipated.....	282	234	\$13,500
Transfer from GOF salaries and Expenses.....	--	--	8,693
Increases (Automatic, non-policy).....	--	12	1,567
1997 base.....	282	246	23,760
Program Change.....	30	23	1,444
1997 Estimate.....	282	269	25,204

	1997 Base		1997 Estimate		Increase/Decrease	
	Pos.	WY	Pos.	WY	Pos.	WY
Estimates by Budget Authority:						
1. Inmate care and Programs.....	282	234	282	269	30	23
Total.....	282	234	282	269	30	23

**Federal Prison System
Violent Crime Reduction Programs
Program Performance Information**
(Dollars in thousands)

	Perm. Est.	FTE	Amount (\$000)
1996 Appropriation Anticipated			
1997 Base	262	234	\$13,500
1997 Estimate	262	246	23,760
Increase/Decrease	292	269	25,224
	30	23	1,464

BASE PROGRAM DESCRIPTION: In response to the rapid growth in the Federal inmate population having drug abuse histories, BOP has developed a comprehensive drug abuse treatment strategy consisting of four components: drug abuse education, non-residential drug abuse counseling services, residential drug abuse program, and community-transitional services programming. Participation in BOP's Drug Abuse Education Program is required for all inmates who have a judicial recommendation for treatment and/or a history of drug use.

The Drug Abuse Education component provides the inmate with specific instruction on the risks involved in drug using and abusing behaviors, presents strategies toward living a drug-free lifestyle, while introducing the inmate to the concepts of drug treatment and motivating the inmate to volunteer for participation in BOP's residential drug abuse treatment program.

Non-residential Drug Abuse Counseling Services consist of both group and individual therapy delivered through the psychological services department in each institution. These services offer flexibility and service delivery to those who do not meet the eligibility requirements for BOP's residential drug abuse treatment program. Non-residential treatment services are also provided for those inmates who have completed the residential treatment phase who remain in the institution, and who require aftercare treatment while awaiting release to the community.

The residential drug abuse program is designed for inmates who volunteer for extended drug abuse treatment. Six-to-twelve-month residential programs are available in 35 institutions. The residential programs provide unit-based living with extensive assessment, treatment planning, and individual and group counseling. In FY 1995, BOP opened three new residential programs and the existing program at Lexington expanded to include a 16-bed "pilot program" for inmates with dual-disorders (substance abuse and mental health).

Community transition programs were originally developed for inmates who complete the residential drug abuse treatment program and are released to the community under BOP custody. This component of treatment is the most critical period for the inmate's adjustment back into society. In FY 1993 the community transition program was extended to accept inmates who have been identified as requiring community treatment, as part of their community program plan while still in BOP custody, (i.e., Intensive Confinement Center inmates, inmates participating in the Electronic Monitoring program).

In FY 1995, BOP had drug abuse education and non-residential treatment available in all institutions, and by the end of FY 1995 residential treatment was available in 35 institutions. The residential programs are expected to maintain an average daily population exceeding 3,500 inmates. Community drug transition served nearly 3,176 inmates by the close of FY 1995.

The law requires the BOP to provide residential treatment to 100% of all eligible inmates by the end of FY 1997. Therefore, additional program expansion is planned for residential drug abuse programs in FY 1996 and FY 1997 to meet these requirements.

INITIATIVE #1

	Perm. Pos.	FTE	Amount (\$000)
Expand Residential Drug Abuse Treatment programs Inmate Care	30	23	\$1,464

Proposed Actions

This initiative seeks to address the following objectives:

- 1) Provide opportunities for individual and group drug counseling in each unit.
- 2) Provide 100% residential treatment opportunity to eligible inmates with substance abuse histories who volunteer for treatment.

This program initiative continues expansion of residential drug abuse treatment programs in FY 1997 to meet the requirements of the Violent Crime Control and Law Enforcement Act of 1994 (VCCLEA).

For FY 1997, BOP needs to increase residential drug abuse programs by five to meet the 100 percent requirement of the VCCLEA. This expansion will: a) satisfy the mandate of the VCCLEA and b) fulfill BOP's strategic planning objective.

To meet the 100 percent requirement of the VCCLEA for FY 1997, BOP needs to add five more programs. This will provide 500 treatment beds (or 665 treatment slots); bringing the total BOP residential drug abuse treatment program capability to 5,665 treatment slots. This expansion requires 30 additional drug abuse treatment program staff, six per residential unit.

PERFORMANCE MEASUREMENT TABLE: PRESENTED BY GENERAL GOAL

GENERAL GOAL 5: BOP provides services and programs to address inmate needs, providing productive use-of-time activities, and facilitating the successful reintegration of inmates into society, consistent with community expectations and standards							
PERFORMANCE INDICATOR INFORMATION				PERFORMANCE TARGETS AND ACTUAL RESULTS			
Type of Indicator	Performance Indicators	1993 Actual	1994 Actual	1995 Actual	1996 Estimate	1997 Target	
Input	1. Inmate Care & Programs: Amount (\$000's) FTE	n/a n/a	n/a n/a	n/a n/a	\$13,500 234	\$13,500 234	\$25,224 289
Output/ Activity	Enrollments: 2. Number of Drug treatment participants	43,086	44,121	47,632	50,100	50,100	53,300
Intermediate Outcome	10. Drug Abuse Counseling Hours		1,560,188	2,004,000	2,107,600	2,107,600	2,318,000
End Outcome	11. Percentage of Residential Drug treatment provided to inmates needing treatment	n/a	n/a	50%	75%	75%	100%
A. Definitions of Terms or Explanations for Indicators:							
B. Factors Affecting FY 95 Program Performance.							
C. Factors Affecting Selection of FY 96 and 97 Targets.							

Federal Prison System
Violent Crime Reduction Programs
Financial Analysis - Program Changes
(Dollars in thousands)

Item	Inmate Care & Programs	
	Pos.	Amount
Grades:		
GS-13.....	5	272
GS-11.....	25	855
Total Positions and annual Rate.....	30	1,227
Lapse (-).....	(7)	(288)
11.1 Workyears and Compensation.....	23	941
12.0 Personnel benefits.....		419
21.0 Travel.....		40
26.0 Supplies and materials.....		45
31.0 Equipment.....		19
Total Workyears and Oblig. 1986.....	23	1,464

Federal Prison System
Violent Crime Reduction Programs
Detail of Permanent Positions by Category
Fiscal Years 1995 - 1997

Category	1995 Enacted	1996 Request	1997	
			Changes	Request
Soc. Science, Econ. and Kindred (100-199).....	0	292	30	292
Total.....	0	292	30	292

Federal Prison System
Violent Crime Reduction Programs, FPS
Summary of change Congressional (1996 - 1997)

	Poa.	FTE	BA (\$000)
1996 Appropriation Anticipated.....	282	234	\$13,500
Transfer from Salaries and Expenses Appropriation.....	0	0	8,693
1997 Adjustments to base:			
Increases (Automatic, non-policy):			
1997 Pay Raise and locality pay adjustment (3.0%).....	0	0	269
Annualization and increase of 1996 Pay Raise (2.4%).....	0	0	92
Annualization of 1996 Locality Pay Adjustment.....	0	0	36
General Pricing Level Adjustments (3.1%).....	0	0	365
Annualization of 1996 program increases.....	0	12	805
Total, increases.....	0	12	1,567
1997 Base.....	282	246	23,760
1997 Program Increases:			
5 Drug Treatment Units.....	30	23	1,484
1997 Estimate.....	282	269	25,244

**Federal Prison System
Violent Crime Reduction Program, FY
Appropriation of \$250,000,000
(Dollars in thousands)**

Pos. K Amount

Transfers:

... .. 96,495

Violent Crime Reduction Program, FY1996
This request provides for the proposed 3.5 percent pay raise and locality pay adjustment to be effective in January of 1997 and is consistent with Administrative policy included in the 1997 President's budget request. The amount requested, \$250,000, represents the pay amounts for three-quarters of the fiscal year plus appropriate benefits (\$194,500 for pay and \$72,500 benefits = \$269,000).
The money will be derived from the Violent Crime Reduction Program. This transfers \$250,000 from the Salaries and Expenses appropriation to the Violent Crime Reduction Program Trust Fund.

Increases (Automatic, 1997-1998):

... .. 249

1. 1997 Locality and Locality pay adjustments
This request provides for the proposed 3.5 percent pay raise and locality pay adjustment to be effective in January of 1997 and is consistent with Administrative policy included in the 1997 President's budget request. The amount requested, \$250,000, represents the pay amounts for three-quarters of the fiscal year plus appropriate benefits (\$194,500 for pay and \$72,500 benefits = \$269,000).

... .. 92

2. Annualization and increase of 1996 pay raise
This pay annualization represents first quarter amounts (October through December) of the 1996 pay increase of 2.5 percent, plus appropriate personnel benefits and the additional amount required above the 2.2 percent originally requested for the three-quarters of the year (\$87,160 for pay and \$25,840 for benefits).

... .. 34

3. Annualization of 1996 Locality pay adjustments
This adjustment represents the first quarter amounts of the locality pay increase received January 1996, plus appropriate personnel benefits.

... .. 345

4. Special Action Local Adjustments
This request applies cost pricing evidence as of June 11, 1995, to selected expense categories. The increased costs identified result from applying a factor of 3.1 percent against those subject classes where the price that the Government pays are established through the market system instead of by law or regulation. Generally, the factor is applied to supplies, materials, equipment, contracts with the private sector, printing costs, transportation costs, and utilities.

Federal Prison System
Violent Crime Reduction Programs
Summary of Requirements by Grade and Object Class
(Dollars in thousands)

	1995 Estimate		1996 Request		1997 Request		Increase/Decrease	
	Positions & Workyears	Amount	Positions & Workyears	Amount	Positions & Workyears	Amount	Positions & Workyears	Amount
Grades and salary ranges								
GS-13 \$49,856 - \$64,814.....	61	...	66	...	5	0
GS-11 \$34,961 - 45,474.....	66	...	110	...	26	0
GS-09 \$28,912 - 37,598.....	58	...	58	...	0	0
GS-07 \$23,634 - 30,726.....	58	...	58	...	0	0
Locality Pay.....	\$0	...	\$253	...	253
1997 pay increases.....	\$262	...	\$262
Total appropriated positions.....	202	\$10,206	292	\$11,419	30	1,213
Pay above stated annual rates								
Lapses.....
Savings due to lower pay scales part of year.....	(29)	(1,246)	(29)	(1,010)	5	236
Net full-time permanent.....	66	...	...
Total, workyears and personnel compensation.....	234	8,960	266	10,476	36	1,516
Average GS Grade.....								
Average GS Salary.....	10.14	...	10.26	...	...
Object Class				\$39,329		\$40,548		
11.1 Full-time permanent.....	234	\$8,960	266	\$10,476	36	1,516
12 Personnel benefits.....	3,442	...	4,205	...	763
21 Travel.....	1,096	...	48	...	48
26 Supplies and materials.....	10,500	...	9,402
31 Equipment.....	0	...	19	...	19
Total obligations.....	13,500	...	26,247	...	11,747
Relation of obligations to outlays:								
Total obligations.....	13,500	...	26,247	...	...
Obligated balance, start - of - year.....	0	...	2,000	...	...
Obligated balance, end - of - year.....	(2,000)	...	(3,847)	...	...
Outlays.....				11,500		23,400		

Department of Justice
 Federal Prison System
 Buildings and Facilities
 Estimates for Fiscal Year 1997
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The USMS has requested that BOP provide detention facilities through the expansion or establishment of detention units at existing Federal prisons and detention centers, where they anticipate that local contracts will be insufficient to meet their detention requirements. In 1997, 550,147 inmates were held in Federal prisons and detention centers, and in 1998, 560,147 inmates were held in Federal prisons and detention centers. In addition, this request includes \$35,370,000 for USMS holding facilities, which are needed as a result of a 1991 contract with the Federal Bureau of Investigation (FBI) to release Federal Bureau of Investigation inmates to USMS custody. The USMS also requests that BOP provide detention facilities through the expansion or establishment of detention units at existing Federal prisons and detention centers, where they anticipate that local contracts will be insufficient to meet their detention requirements. In 1997, 550,147 inmates were held in Federal prisons and detention centers, and in 1998, 560,147 inmates were held in Federal prisons and detention centers. In addition, this request includes \$35,370,000 for USMS holding facilities, which are needed as a result of a 1991 contract with the Federal Bureau of Investigation (FBI) to release Federal Bureau of Investigation inmates to USMS custody.

Federal Prison System
Buildings and Facilities

Justification of Proposed Changes in Appropriation Language

The 1997 budget estimates include proposed changes in appropriation language listed and explained below. New language is underscored and deleted matter is enclosed in brackets.

Buildings and Facilities

For the planning, acquisition, construction, completion, and operation of sites and facilities for penal and correctional use and of necessary buildings and facilities at existing penal and correctional institutions, including all necessary emergency measures incident thereto and for land in the Oklahoma City Area, from FY 1997: \$52,700,000. To remain available until expended, of which \$10,000,000 shall be available to construct and/or improve and/or maintain existing buildings and facilities and \$42,700,000 shall be available to construct and/or improve and/or maintain existing buildings and facilities. That part of the amount of the funds appropriated for buildings and facilities in this Act or any other Act may be transferred to "Prisons and Penitentiaries", Federal Prison System, from the amount of the funds in carry-over from this appropriation for the purpose of the construction of United States Marshal's Service facilities, buildings and facilities.

18 U.S.C. 5055, 5059, 5060, 5070, 5073(a)(3), 5082, 5125.

NOTE: A regular 1996 appropriation for this account has not been enacted at the time this budget was prepared. The 1996 amounts included in this budget are based on the levels provided in three continuing resolutions: P.L. 104-91, P.L. 104-92, and P.L. 104-99.

Federal Prison System
Buildings and Facilities
Crosswalk of 1998 Changes
Dollars in Thousands

Activity / Program	1998 President's Budget Request		1998 Congressional ¹ Actions		Reprogramming		1998 Appropriation Anticipated					
	Pos.	WY Amount	Pos.	WY Amount	Pos.	WY Amount	Pos.	WY Amount				
1. New Construction.....	182	179	182	\$234,282	6	0	\$11,000	0	0	188	179	\$245,282
2. Modernization and Repair of Existing Facilities..	120	120	120	89,446	0	0	0	0	0	120	120	89,446
Total	302	299	302	\$323,728	6	0	\$11,000	0	0	308	299	\$334,728

¹ Congressional actions eliminated a Western Complex, Medium security facility with a minimum security camp for \$108,900,000 which was requested, and added \$12,350,000 site and planning funds for a Mid-Atlantic Region facility; \$89,550,000 to provide full funding for the Lee County, Virginia facility, and its minimum security camp, and \$11,000,000 site and planning funds for a Western Region facility. Castle Air Force Base is recommended for the Western Region facility.

F1 - New System
Buildings and Facilities
Summary of Requirements
(Dollars in Thousands)

Adjustments to Base:	1986 as Enacted		1986 Actual		1986 Appropriation		1987 Base		1987 Estimate		Increased/Decreased		Perm. Work- Est. Years	Amount
	Est.	WT	Est.	WT	Est.	WT	Est.	WT	Est.	WT	Est.	WT		
1986 Appropriation Anticipated													308	\$334,728
Increases (Automatic, non-policy)													0	0
Decreases (Automatic, non-policy)													0	2,786
1987 Base	180	184	180	181	186	178	186	184	186	182	186	182	278	\$334,728
Program Changes (See Program Narrative for Details)													0	0
1987 Estimate	180	184	180	181	186	178	186	184	186	182	186	182	278	\$334,728
Estimates by Program														
New Construction	180	184	180	181	186	178	186	184	186	182	186	182	278	\$334,728
Modernization and Repair	180	184	180	181	186	178	186	184	186	182	186	182	278	\$334,728
Other Workyears: Holiday/Overtime	0	0	0	0	0	0	0	0	0	0	0	0	0	0

1. Procurement Savings reduced the FY 1986 Appropriation by \$4,103,000.
... 1 Includes a reauthorizing reduction of 2 positions and 2 workyears from the New Construction base in FY 1987.

**Federal Prison System
Mission and Facilities
Prison System and Facilities
Department of Corrections and Rehabilitation**

MISSION: The Federal Bureau of Prisons (BOP) protects society by confining offenders in the controlled environments of prisons and community-based facilities that are safe, secure, rehabilitative and cost-effective. BOP provides work and other self-improvement opportunities to assist offenders in becoming law-abiding citizens.

ORGANIZATIONAL GOALS:

1. BOP will proactively manage its offender population to ensure safe and secure operations.
2. BOP will maintain its facilities in operationally sound conditions and in compliance with security, safety and environmental requirements.

**Federal Prison System
Budget and Facilities
Construction Initiatives**
(Dollars in thousands)

ACTIVITY: NEW CONSTRUCTION

	1996	1997	1998	1999	2000	2001	2002	2003	2004	2005	2006	2007	2008	2009	2010	2011	2012	2013	2014	2015	2016	2017	2018	2019	2020	2021	2022	2023	2024	2025	2026	2027	2028	2029	2030	2031	2032	2033	2034	2035	2036	2037	2038	2039	2040	2041	2042	2043	2044	2045	2046	2047	2048	2049	2050	2051	2052	2053	2054	2055	2056	2057	2058	2059	2060	2061	2062	2063	2064	2065	2066	2067	2068	2069	2070	2071	2072	2073	2074	2075	2076	2077	2078	2079	2080	2081	2082	2083	2084	2085	2086	2087	2088	2089	2090	2091	2092	2093	2094	2095	2096	2097	2098	2099	2100	2101	2102	2103	2104	2105	2106	2107	2108	2109	2110	2111	2112	2113	2114	2115	2116	2117	2118	2119	2120	2121	2122	2123	2124	2125	2126	2127	2128	2129	2130	2131	2132	2133	2134	2135	2136	2137	2138	2139	2140	2141	2142	2143	2144	2145	2146	2147	2148	2149	2150	2151	2152	2153	2154	2155	2156	2157	2158	2159	2160	2161	2162	2163	2164	2165	2166	2167	2168	2169	2170	2171	2172	2173	2174	2175	2176	2177	2178	2179	2180	2181	2182	2183	2184	2185	2186	2187	2188	2189	2190	2191	2192	2193	2194	2195	2196	2197	2198	2199	2200	2201	2202	2203	2204	2205	2206	2207	2208	2209	2210	2211	2212	2213	2214	2215	2216	2217	2218	2219	2220	2221	2222	2223	2224	2225	2226	2227	2228	2229	2230	2231	2232	2233	2234	2235	2236	2237	2238	2239	2240	2241	2242	2243	2244	2245	2246	2247	2248	2249	2250	2251	2252	2253	2254	2255	2256	2257	2258	2259	2260	2261	2262	2263	2264	2265	2266	2267	2268	2269	2270	2271	2272	2273	2274	2275	2276	2277	2278	2279	2280	2281	2282	2283	2284	2285	2286	2287	2288	2289	2290	2291	2292	2293	2294	2295	2296	2297	2298	2299	2300	2301	2302	2303	2304	2305	2306	2307	2308	2309	2310	2311	2312	2313	2314	2315	2316	2317	2318	2319	2320	2321	2322	2323	2324	2325	2326	2327	2328	2329	2330	2331	2332	2333	2334	2335	2336	2337	2338	2339	2340	2341	2342	2343	2344	2345	2346	2347	2348	2349	2350	2351	2352	2353	2354	2355	2356	2357	2358	2359	2360	2361	2362	2363	2364	2365	2366	2367	2368	2369	2370	2371	2372	2373	2374	2375	2376	2377	2378	2379	2380	2381	2382	2383	2384	2385	2386	2387	2388	2389	2390	2391	2392	2393	2394	2395	2396	2397	2398	2399	2400	2401	2402	2403	2404	2405	2406	2407	2408	2409	2410	2411	2412	2413	2414	2415	2416	2417	2418	2419	2420	2421	2422	2423	2424	2425	2426	2427	2428	2429	2430	2431	2432	2433	2434	2435	2436	2437	2438	2439	2440	2441	2442	2443	2444	2445	2446	2447	2448	2449	2450	2451	2452	2453	2454	2455	2456	2457	2458	2459	2460	2461	2462	2463	2464	2465	2466	2467	2468	2469	2470	2471	2472	2473	2474	2475	2476	2477	2478	2479	2480	2481	2482	2483	2484	2485	2486	2487	2488	2489	2490	2491	2492	2493	2494	2495	2496	2497	2498	2499	2500	2501	2502	2503	2504	2505	2506	2507	2508	2509	2510	2511	2512	2513	2514	2515	2516	2517	2518	2519	2520	2521	2522	2523	2524	2525	2526	2527	2528	2529	2530	2531	2532	2533	2534	2535	2536	2537	2538	2539	2540	2541	2542	2543	2544	2545	2546	2547	2548	2549	2550	2551	2552	2553	2554	2555	2556	2557	2558	2559	2560	2561	2562	2563	2564	2565	2566	2567	2568	2569	2570	2571	2572	2573	2574	2575	2576	2577	2578	2579	2580	2581	2582	2583	2584	2585	2586	2587	2588	2589	2590	2591	2592	2593	2594	2595	2596	2597	2598	2599	2600	2601	2602	2603	2604	2605	2606	2607	2608	2609	2610	2611	2612	2613	2614	2615	2616	2617	2618	2619	2620	2621	2622	2623	2624	2625	2626	2627	2628	2629	2630	2631	2632	2633	2634	2635	2636	2637	2638	2639	2640	2641	2642	2643	2644	2645	2646	2647	2648	2649	2650	2651	2652	2653	2654	2655	2656	2657	2658	2659	2660	2661	2662	2663	2664	2665	2666	2667	2668	2669	2670	2671	2672	2673	2674	2675	2676	2677	2678	2679	2680	2681	2682	2683	2684	2685	2686	2687	2688	2689	2690	2691	2692	2693	2694	2695	2696	2697	2698	2699	2700	2701	2702	2703	2704	2705	2706	2707	2708	2709	2710	2711	2712	2713	2714	2715	2716	2717	2718	2719	2720	2721	2722	2723	2724	2725	2726	2727	2728	2729	2730	2731	2732	2733	2734	2735	2736	2737	2738	2739	2740	2741	2742	2743	2744	2745	2746	2747	2748	2749	2750	2751	2752	2753	2754	2755	2756	2757	2758	2759	2760	2761	2762	2763	2764	2765	2766	2767	2768	2769	2770	2771	2772	2773	2774	2775	2776	2777	2778	2779	2780	2781	2782	2783	2784	2785	2786	2787	2788	2789	2790	2791	2792	2793	2794	2795	2796	2797	2798	2799	2800	2801	2802	2803	2804	2805	2806	2807	2808	2809	2810	2811	2812	2813	2814	2815	2816	2817	2818	2819	2820	2821	2822	2823	2824	2825	2826	2827	2828	2829	2830	2831	2832	2833	2834	2835	2836	2837	2838	2839	2840	2841	2842	2843	2844	2845	2846	2847	2848	2849	2850	2851	2852	2853	2854	2855	2856	2857	2858	2859	2860	2861	2862	2863	2864	2865	2866	2867	2868	2869	2870	2871	2872	2873	2874	2875	2876	2877	2878	2879	2880	2881	2882	2883	2884	2885	2886	2887	2888	2889	2890	2891	2892	2893	2894	2895	2896	2897	2898	2899	2900	2901	2902	2903	2904	2905	2906	2907	2908	2909	2910	2911	2912	2913	2914	2915	2916	2917	2918	2919	2920	2921	2922	2923	2924	2925	2926	2927	2928	2929	2930	2931	2932	2933	2934	2935	2936	2937	2938	2939	2940	2941	2942	2943	2944	2945	2946	2947	2948	2949	2950	2951	2952	2953	2954	2955	2956	2957	2958	2959	2960	2961	2962	2963	2964	2965	2966	2967	2968	2969	2970	2971	2972	2973	2974	2975	2976	2977	2978	2979	2980	2981	2982	2983	2984	2985	2986	2987	2988	2989	2990	2991	2992	2993	2994	2995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ACTIVITY: MODERNIZATION AND REPAIR

	Perm. Est.	FTE	Amount \$000
Modernization and Repair of Existing Facilities			
1996 Appropriation Anticipated	120	120	\$99,446
1997 Base	120	120	\$6,048
1997 Estimate	120	120	\$6,048
Increase/Decrease	...	...	...

BASE PROGRAM DESCRIPTION: The Modernization and Repair of Existing Facilities (MDR) program provides the resources to undertake essential rehabilitation and renovation or replacement projects at existing institutions to ensure that structures, utility systems, and other plant facilities are kept in a good state of repair. Proper maintenance, modernization and repair of existing institutions is essential. Failure to adequately maintain structures and utility systems erodes capital investment and multiplies the costs in future years for accomplishing the required maintenance and repair. In addition, failure to maintain structures can cause direct and indirect security problems.

Work is identified by two specific categories of projects: major line item requirements (projects valued at \$500,000 or more) for which funds are specifically requested by project; and repair and improvement (RI) requirements (projects valued at \$4,000 to under \$500,000). RI projects address immediate needs resulting from routine repairs, emergencies, correctional program changes, etc., and are considered the base requirements for this program.

Most maintenance and repair projects are performed using inmate crews to provide work for inmates and labor for the work performed. Inmate work crews require staff supervision to direct the work being performed and for security reasons. Thus, nearly every project large enough to be listed as a line item, regardless of the number of projects per location, will require staff positions and workyears.

BOP has 19 facilities that are over 50 years old (between 50 and 99 years old) and more than 10 facilities that are over 20 years old. As these facilities age, they require continual maintenance to keep them within BOP and American Corrections Association (ACA) standards. Moreover, prison facilities are subjected to heavier than normal use, especially during periods of high overcrowding.

BOP classifies MDR projects under six categories (Life Safety, General Improvements, Major Renovations, Utility Improvements, Hazardous Waste and Energy Resources). Within each of these categories are sub-categories. Projects in the Life Safety category are those that are required by the Federal Prison Construction Act and proposed Chapter 12 under the Americans with Disabilities Act Accessibility Guidelines. Environmental projects are necessary for the BOP to be in compliance with environmental and safety regulations required by the Environmental Protection Agency (EPA) and the Office of Safety and Health Administration (OSHA). Energy projects are required to meet pertinent energy conservation laws and regulations. Energy conservation is mandated by Public Law 100-533, November 3, 1988, and Executive Order 12,062, March 8, 1996 which mandates Federal Agencies to reduce energy consumption by 10 percent by the year 2000. Several other Presidential directives have been issued requiring specific short-term conservation efforts in both building and vehicle energy use.

Streamlining Initiatives: As part of its streamlining plan, BOP has committed to a 15% overcrowding rate instead of a rate which was near zero. As a result of this commitment, the capacity plans have been revised so fewer new correctional facilities will be built. This will provide direct future MDR savings by reducing FTE, base funding requirements and MDR projects which would have been associated with these facilities.

In addition, BOP is proposing privatization of most new minimum and low security facilities. This will save workyears which would be associated with MDR projects at these facilities.

PERFORMANCE MEASUREMENT TABLE: PRESENTED BY GENERAL GOAL
(\$000)

GENERAL GOAL 1: BOP will proactively manage its offender population to ensure safe and secure operations.							
PERFORMANCE INDICATOR INFORMATION		PERFORMANCE TARGETS AND ACTUAL RESULTS					
Type of Indicator	Performance Indicators	1993 Actual	1994 Actual	1995 Actual	1996 Target	1996 Estimate	1997 Target
Input	1. Funds obligated to construct new facilities	\$395,748	\$579,085	\$338,064	\$265,747	\$265,747	\$238,000
	2. Number of new construction FTEs	189	195	161	179	179	182
Output/ Activity	3. # of Beds Added (BOP facilities)	7,423	8,918	7,288	5,528	5,528	12,418
	4. End of Year Capacity (BOP facilities)	87,810	84,781	72,038	77,567	77,567	86,983
Intermediate Outcome	5. Number of EIS	2	3	3	3	3	1
	6. Designs completed	4	7	7	8	8	5
	7. Number of major construction awards	4	6	6	6	6	6
	8. Number of new facilities completed	4	4	8	6	6	9
End Outcome	9. Overcrowding Level	30%	33%	26%	22%	22%	11%
B. Factors Affecting FY 95 Program Performance							
FL Devens - Unexpended ordinance discovered at FL Devens, MA							
C. Factors Affecting Selection of FY 95 and 97 Targets							
Delay in construction of projects such as bad weather, proposed Crime Bill, legislative and policy changes							

PERFORMANCE MEASUREMENT TABLE: PRESENTED BY GENERAL GOAL
(8000)

GENERAL GOAL 2: BOP will maintain its facilities in operationally sound conditions and in compliance with security, safety and environmental requirements.							
PERFORMANCE INDICATOR INFORMATION		PERFORMANCE TARGETS AND ACTUAL RESULTS					
Type of Indicator	Performance Indicators	1993 Actual	1994 Actual	1995 Actual	1996 Target	1996 Estimate	1997 Target
Input	1. FTE for M&R	138	135	119	112	112	120.0
	2. Funds obligated for M&R	\$132,821	\$94,967	\$107,495	\$115,098	\$115,098	\$118,551
Output/Activity	3. Total projects established	314	358	362	420	420	455
	4. Special projects established	0	89	112	99	99	53
	5. Contracts for Wireless equipment	0	0	0	0	0	0
Intermediate Outcome	6. Projects completed and closed:						
	Total projects	400	402	343	480	480	510
	Special projects	0	74	83	86	86	97
	7. Projects active at the end of the year:						
	Total projects	1065	1011	1020	960	960	895
	Special projects	177	192	221	234	234	190
	8. Wireless equipment purchases	0	0	0	0	0	0
End Outcome	9. Court ordered remedial projects	0	0	0	0	0	0
	10. Dollar value of fines for violations	0	0	0	0	0	0
	11. Number of operational facilities over 30 years old	24	24	24	24	24	24
	12. Operational locations using the new narrow-band wireless equipment	0	0	0	0	0	0
A. Definitions of Terms or Explanations for Indicators: Indicators 4,6 and 7 - Special projects include Life Safety, Accessibility, Environmental and Energy projects.							
B. Factors Affecting FY 85 Program Performance Indicator 7 - Revisions, emergency projects and changing priorities.							
C. Factors Affecting Selection of FY 84 and 87 Targets. M&R funding, changes to codes, regulations, and laws.							

Federal Prison System
Buildings and facilities
Financial Analysis - Program Changes
(Dollars in Thousands)

Item	New Construction			Modernization & Repair of Existing Facilities			Total		
	Pos	Obliq.	Budget Auth.	Pos	Obliq.	Budget Auth.	Pos	Obliq.	Budget Auth.
GS-12.....	4	\$172	...	...	...	...	4	\$172	0
GS-11.....	6	216	...	...	...	...	6	216	0
Total positions and annual rate.....	10	388	...	0	0	0	10	388	0
Lapse.....	(4)	(148)	...	...	...	...	(4)	(148)	...
Total workyears and personnel compensation.....	6	\$240	\$1,280	0	0	0	6	\$240	\$1,280
Personnel benefits.....	...	108	578	...	...	...	...	108	578
Travel and Transportation of persons.....	...	50	180	...	...	...	...	50	180
Transportation of things.....	...	80	140	...	...	...	...	80	140
Rental payment to others.....	...	10	40	...	...	...	...	10	40
Comm, utilities and miscellaneous.....	...	20	70	...	...	...	...	20	70
Printing and reproduction.....	...	10	40	...	...	...	...	10	40
Other services.....	...	120,256	178,941	...	...	...	...	120,256	178,941
Supplies and materials.....	...	20	70	...	...	...	...	20	70
Equipment.....	...	20	70	...	...	...	...	20	70
Administrative Streamlining Reduction.....	(2)	...	...	...	...	...	(2)	0	0
Total program workyears and obligations changes requested, 1997.....	4	\$120,794	\$181,417	0	\$0	\$0	4	\$120,794	\$181,417

Federal Prison System
Building & Facilities
Status of Congressionally Requested
Studies, Reports, and Evaluations

The Conference Report for the Department of Commerce, Justice, and State, the Judiciary and Related Agencies for Fiscal Year 1996 contained a provision which provided \$11 million for site and design work for a Federal prison in the Western Region and directed the BOP to select one of two sites for the facility and report back to the Committees on Appropriations of both the House and Senate. Notification on selection of the Western site was forwarded to the Office of Management and Budget.

Federal Prison System
Buildings and Facilities
Priority Ranking
Fiscal Year 1997

Base Program		Program Increases	
Program	Ranking	Program	Ranking
New Construction	1	New Construction	1
Modernization and Repair of Existing Facilities	2	New Construction	2
		New Construction	3
		Geroge Air Force Base California, Medium with Camp	1
		Hawall Detention Center	2
		USIS Holding Cells	3

Federal Prison System
Buildings and Facilities
Detail of permanent positions by Category
Fiscal Years 1995 - 1997

Category	1995		1996		1997	
	Authorized	Appropriation Anticipated	Authorized	Appropriation Anticipated	Changes	Authorized
General Administration Clerical and Office Services (300-399)	26	8	30	8	(6)	24
Accounting and Budget (500-599)	164	164	164	164	(14)	150
Engineering and Architecture Group (800-899)	68	68	68	68	(22)	46
Business and Industry Group (1100-1199)	38	38	38	38	0	38
Ungraded (mechanical and construction)						
Total	306	306	306	306	(22)	284
Washington	45	45	57	57	(22)	35
U.S. Field	260	260	251	251	9	269
Total	305	305	308	308	(3)	323

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Federal Prison System
Buildings and Facilities
Summary of Changes (1986 - 1987)

Item	Pos	FTE	\$,000
1986 Conference Allowance.....	308	289	334,728
Adjustments to Base:			
Increases (Automatic, non-policy):			
Annualization of 1986 Positions.....	0	9	0
Annualization of 1986 pay raise.....	0	0	136
Annualization of 1986 Locality Pay.....	0	0	53
1987 Pay Raise and Locality Pay Adjustment.....	0	0	391
Travel Mile, Allowance Rate.....	0	0	16
General Pricing Level Adjustments.....	0	0	2,189
Total, Increases.....	0	9	2,785
Decreases (Automatic, non-policy):			
Administrative Streamlining Reductions for 1987.....	(27)	(22)	
Positions and workyears associated with closed projects.....	(257)	(257)	
Projects Funded in 1986.....	0	0	(223,230)
Total, Decreases.....	(30)	(30)	(223,230)
1987 Base.....	278	278	114,283
1987 Program Increases:			
New Construction:			
New Facilities:			
George AFB, CA, Medium with Camp (1,920 beds).....	6	2	97,000
Hawaii, MDC (300-500 beds).....	2	2	50,147
USMS Holding Cells.....	0	0	34,270
Total, New Construction.....	8	4	181,417
Total, Program Increases.....	8	4	181,417
1987 Estimate.....	286	282	295,700

**Federal Prison System
Buildings and Facilities
Justification of Budgetary Requests
(Dollars in thousands)**

	Pos.	SI	Amounts
1997 Adjustment to Base:	(2)	(2)	...
Transmittal:			
Consistent with the President's mandate to reinvent government and the National Performance Review, BOP is requesting that the Administration's budget request for the fiscal year 1997, Buildings and Facilities (B&F) will reduce 2 positions and 2 salaries.	(2)	(2)	...
Increases (Actuals):			
1. 1997 pay raise and locality adjustment:	...	...	8391
This request is for the President's 3.0 percent pay raise and locality pay adjustment to be effective in January of 1997 and is consistent with administration policy included in the 1997 President's budget request. The amount requested, \$391,000, represents the pay amounts for three-quarters of the fiscal year plus appropriate benefits (\$371,000 for pay and \$20,000 benefits = \$391,000).			
2. Appraisal and increase of 1996 pay raises:	...	...	134
This pay appraisal represents first quarter amounts (October through December) of the 1996 pay increase of 2.4 percent, plus appropriate personal benefits and the additional amount required above the 2.2 percent originally requested for the three-quarters of the year (\$86,000 for pay and \$42,000 for benefits).			
3. Appraisal of 1996 locality pay adjustment:	...	...	55
This appraisal represents the first quarter amount of the locality pay increase received January 1996, plus appropriate personal benefits.			
4. Appraisal of 29 additional positions assigned in 1996:	...	9	...
This provision for the appraisal of 29 additional positions approved in the 1996 President's budget for the New Construction and the Administration and Support program.			
5. Local allowance allowance rate increase:	...	...	16
The allowance allowance rate has increased from 25 to 30 cents per mile. An increase of \$16,000 is requested in 1997 to cover this rate adjustment.			
6. Special action level adjustment:	...	...	2,100
This request applies OPM pricing evidence as of June 11, 1996, to selected expense categories. The increased costs identified result from applying a factor of 3.1 percent against those subject categories where the price that the Government pays are established through the market system instead of by law or regulation. Generally, the factor is applied to supplies, materials, equipment, contracts with the private sector, printing costs, transportation costs, and utilities.			
Total Increase:	(2)	7	2,705

Decrease (decrease) net million		
1.	Expenditures and services associated with closed projects (estimated net million)	(28) (28) ...
2.	Expenditures in 1978	.. .. (22,200)
	Net total, decrease	(28) (28) (22,200)
	Total, adjustment to base	(30) (31) (22,445)

Federal Prison System
Buildings and Facilities
Summary of Requirements by Grade and Object Class
(Dollars in Thousands)

Grades and salary ranges	1995 Actual		1995 Estimate		1997 Request		Increase/Decrease	
	Pos & Wys.	Amount	Pos & Wys.	Amount	Pos & Wys.	Amount	Pos & Wys.	Amount
GS-14 \$96,915-78,591	7		7		7		0	
GS-13 \$49,856-64,914	62		62		60		(2)	
GS-12 \$41,926-54,508	86		86		81		(5)	
GS-11 \$34,981-43,476	117		114		106		(9)	
GS-09 \$26,912-37,688	7		7		7		0	
GS-08 \$26,175-34,032	4		4		4		0	
GS-07 \$23,634-30,726	5		5		5		0	
GS-06 \$21,269-27,650	7		7		7		0	
GS-05 \$19,081-24,805	4		4		4		0	
Ungraded positions	6		6		6		0	
Locality Pay	0		0		0		0	
1997 Pay Raise	0	403	0	440	0	599	0	159
Total appropriated positions	305	13,901	302	13,482	296	12,555	(16)	(927)
Pay above stated annual rates	0	52	0	53	0	50	0	(3)
Lepree	(26)	(826)	(5)	(225)	(4)	(161)	1	64
Savings due to lower pay scales part of year	0	(54)	0	(67)	0	90	0	157
Net full-time permanent	279	13,073	297	13,243	292	12,534	(15)	(709)
Other than permanent								
Part-time permanent	1	9	2	57	0	58	(2)	1
Temporary employment	0	0	0	0	0	0	0	0
Other personnel compensation								
Overtime	1	557	9	319	9	612	0	283
Law Enforcement Availability Pay	0	0	0	0	0	0	0	0
Special personal services payments	0	0	0	0	0	0	0	0
Total, workyears and personnel compensation	281	13,639	308	13,619	291	13,204	(17)	(415)
Average GS/GM Salary		\$44,701		\$44,758		\$44,601		
Average GS/GM Grade		11.4		11.4		11.4		
Average Ungraded Salary		\$38,304		\$39,233		\$40,439		

Federal Prisons System
Buildings and Facilities
Summary of Requirements by Grade and Object Class
(Dollars in Thousands)

Object Class	1995 Actual WYR. Amount	1996 Estimate WYR. Amount	1997 Request WYR. Amount	Increase/Decrease WYR. Amount
Object Class				
11 Personnel compensation:				
11.1 Full-time permanent	279	\$13,073	282	\$12,534
11.3 Other than full-time permanent	1	9	0	58
11.5 Other personnel compensation	1	537	9	612
Total	281	13,639	291	13,204
				(17)
				(415)
Reimbursable workyears:				
Full-time permanent				
Other Object Classes:				
12 Personnel benefits	3,906	3,004	3,104	100
21 Travel and transportation of persons	1,547	1,190	1,229	39
22 Transportation of things	284	218	228	8
23.2 Rental payments to others	52	40	41	1
23.3 Comm., util., & other misc. charges	1,607	1,236	1,277	41
24 Printing and reproduction	61	47	48	1
25.1 Advisory and assistance services	16,478	12,675	13,093	418
25.2 Other Services	370,722	319,900	294,721	(25,179)
25.3 Purchases of goods and svc from Gov't accounts	77	59	61	2
25.7 Operation & Maintenance of equipment	1,525	1,173	1,212	39
26.0 Supplies and materials	16,780	12,907	13,333	426
31.0 Equipment	5,044	3,840	4,006	126
32.0 Land and Structures	13,768	10,590	10,940	350
43.0 Interest and Dividends	69	53	55	2
Total direct obligations	445,539	380,391	356,552	(24,039)
Unobligated balance, start of year	(944,375)	(775,117)	(729,254)	
Unobligated balance, end of year	775,117	729,254	668,403	
Total requirements	278,301	334,728	286,701	
Relation of Obligations to Outlays:				
Total obligations	445,539	380,391	356,552	
Obligated balance, start of year	728,000	613,523	527,764	
Obligated balance, end of year	(613,523)	(527,764)	(523,575)	
Adjustments in expired accounts	0	0	0	
Outlays	560,036	466,350	380,741	

		Fund Status		Status of Construction (Dollars in thousands)		Status - March 1998 - Congressional Submission (FY 97)		Estimated Activation Date
		Fiscal Year	Amount	Total Funding	Total Current Cost Estimate or Actual	Chg. to Date	End of Program	
Total Capacity								
Expansion of existing facilities:								
Milan, MI Camp (150).....	1990	\$1,000	\$1,000	\$1,000	\$1,000	\$79	12% Complete	3/97
Tallahassee, FL Camp (150).....	1990	1,000	1,000	1,000	1,000	125	3% Complete	7/96
Seagrville, TX Det Unit (188).....	1991	10,175	10,175	10,175	10,175	10,243	99% Complete	3/96
Safford, AZ Housing Unit Expansion (120)...	1993	1,101	1,101	1,101	1,101	1,066	85% Complete	6/96
El Reno, OK Replace Housing, Phase II (0)...	1992	10,001	10,001	10,001	10,001	10,026	50% Complete	10/96
Lompoc, CA ICC (200).....	1994	1,856	1,856	1,856	1,856	628	33% Complete	9/96
Ft. Worth, TX West Camp (150).....	1994	1,000	1,000	1,000	1,000	0	Conceptual Drawings	9/96
Loretto, PA Expansion (200).....	1995	7,250	7,250	7,250	7,250	516	6% Complete	1998
Morgantown, WV Expansion (320).....	1995	8,370	8,370	8,370	8,370	15	1% Complete	8/97

APPROVE FUNDING RATED CAPACITY REQUIREMENTS BY FISCAL YEAR

	1996	1997	1998	1999	2000	TOTAL
NEW FACILITIES	....	....	....	....	....	....
• Telf, CA FCI.....	2,048					
• Coleman, FL.....	770					
• Burner, NC (Low).....	660					
• Beaumont, TX (Low).....	1,536					
• Forrest City, FL (Low).....	1,536					
• Venice, WA.....	1,012					
• Tallahassee, FL Camp.....	150					
• Ft. Worth, TX Camp.....	150					
• Beaumont, TX Detention Unit.....	150					
• San Diego, CA.....	150					
• Lompoc, CA ICC.....	200					
ADDITIONAL CAPACITY	896					
• Beckley, WV FCI.....		1,220				
• Erodling, NY Detention Center.....		1,472				
• Beaumont, TX (Minimum & High).....		4,048				
• Elton, CA.....		512				
• Coleman, FL (Minimum).....		750				
• Burner, NC Medical.....		1,536				
• Edinburg, TX (Min, Med, & High).....		1,664				
• Edinburg, NC (Med. & Camp).....		677				
• Seattle, WA Detention Center.....		412				
• Carroll, AR, TX (Low).....		150				
• Milan, RI Camp.....		320				
• Norampton, NY Expansion.....						
• Philadelphia, PA.....			635			
• Houston, TX.....			677			
• Pollock, LA (High & Camp).....			1,472			
• Forrester, PA (Min, Family).....			512			
• Forrest City, WA.....			512			
• Ft. Belvoir, WA (Min, Medical, Low, Medium).....			1,498			
• Loretto, PA Expansion.....			200			

	1996	1997	1998	1999	2000	TOTAL

Beaumont, TX (Med.).....						
* MOC Hawaii.....				1,152		
Lee County, VA.....				500		
.....				1,664		
Western Facility/George AFB, CA (Med & Female Camp).....					1,920	
Mid-Atlantic Region Facility (USP & Camp).....					1,472	
Castle AFB, CA (USP & Camp).....					1,472	
Other Changes.....						977

TOTAL APPROVED/FUNDED CAPACITY	9,266	10,783	5,706	3,316	4,864	34,912
* Projected for private contracts.						

The year-end capacity, illustrated in the table above is consistent with the lead time necessary for activations, although the majority of beds may not be available until three to six months later.

Department of Justice
Federal Prison System
Federal Prison System - Proposed
Estimate for Fiscal Year 1977
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Federal Prison System
Federal Prison Industries, Incorporated
 SENATE COMMITTEE ON LABOR AND HUMAN RESOURCES
 1968-1969

The Federal Prison System is requesting for Federal Prison Industries, Incorporated, in FY 1967 a total of 1,950 positions and 1,960 workyears. This request represents an increase of 119 positions and workyears from the 1966 level.

Federal Prison Industries, Incorporated (UNICOR), was created by Congress in 1934 and is a wholly owned Government corporation which operates at no cost to the U.S. taxpayer. The Corporation is authorized to operate industries in Federal penal and correctional institutions and disciplinary barracks (18 U.S.C. 4121-4129). The Director of the Federal Prison System, who has jurisdiction over all Federal penal and correctional institutions, is the Chief Executive Officer. Federal Prison Industries reduces undesirable inmate idleness by providing a full-time work program for the inmate population (20 percent in 1965). More than 50 percent of the inmate population do not have marketable skills. The Prisoners' Program of Constructive Industries (PPCI) provides a program of constructive work for inmates. This program includes training in various trades, operating costs of the Corporation, including marketing expenses, inmate work areas, compensation to inmates performing in industrial work details, and compensation to former inmates for injuries they received while in Federal prisons.

A board of six Directors, appointed by the President, reviews and approves the policies of the Corporation. Low-range Corporate plans, establishment of new industries, and physical and capital investment projects of \$500,000 or more are submitted to the Board of Directors for approval. The conduct of the business of the Corporation is supervised by the Federal Prison Industries Administration, located in Washington, D.C. Expenses of this function are subject to Congressional limitation. There are 32 Corporate Management employees located in Washington, D.C. Inmate employment is expected to reach 18,372 by September 1966 reflecting the Bureau of Prisons' projected population growth. Inmates manufacture such items as furniture, clothing, electronic cable, and other products. These products are sold to Federal Agencies, the Department of Defense, the Postal Service, the Veterans Administration, and the General Services Administration are the largest customers. In 1967, an additional 1,592 inmate employees are anticipated as a result of the projected population increases.

As the Federal Prison Industries implements the personnel increases reflected in this budget for FY 1966 and 1967, it will endeavor to continue implementing the recommendations of the National Performance Review.

Federal Prison System
Federal Prison Industries, Incorporated
Justification of Proposed Changes to the Appropriation Language

The 1997 budget estimates include proposed changes in appropriation language listed and explained below. New language is underscored and deleted matter is enclosed in brackets.]

Federal Prison Industries, Incorporated

The Federal Prison Industries, Incorporated, is hereby authorized to make such appropriations, contracts, and commitments, within the limits of funds and borrowing authority available and without regard to fiscal year limitation, as may be necessary to carry out the purposes set forth in its budget for the current fiscal year, including purchase of not to exceed five passenger motor vehicles for enforcement only, and hire of maintenance staff vehicles.

18 U.S.C. 4121-4129; 31 U.S.C. 9101-1993.

NOTE: A regular 1996 appropriation for this account has not been enacted at the time this budget was prepared. The 1996 amounts included in this budget are based on the levels provided in three continuing resolutions: P.L. 104-97, P.L. 104-92, and P.L. 104-99.

Limitation on Administrative Expenses
Federal Prison Industries, Incorporated

Not to exceed \$3,740,000 of the funds of the Federal Prison Industries, Incorporated, shall be available for administrative expenses and for services authorized by U.S.C. 3129, to be computed on an accrual basis to be determined in accordance with the corporation's prescribed accounting system, and such amounts shall be exclusive of any depreciation, payment of claims, and appropriations that such accounting system may require to be capitalized or charged to cost of commodities acquired or produced, including selling and shipping expenses, and expenses in connection with acquisition, construction, operation, maintenance, replacement, production, or disposition of facilities and other property belonging to the corporation or in which it has an interest.

NOTE: A regular 1996 appropriation for this account has not been enacted at the time this budget was prepared. The 1996 amounts included in this budget are based on the levels provided in three continuing resolutions: P.L. 104-97, P.L. 104-92, and P.L. 104-99.

Federal Prison System
Federal Prison Industries, Incorporated
Crosswalk of 1998 Changes
(Dollars in thousands)

Activity/Program	1998 President's Budget Request		Reprogramming		1998 Appropriation Anticipated	
	Pos.	WY Amount	Pos.	WY Amount	Pos.	WY Amount
Federal Prison Industries	1,887	1,841 558,121	0	0 0	1,887	1,841 558,121
Total.....	1,887	1,841 558,121	0	0 0	1,887	1,841 558,121

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Federal Prison System
Federal Prison Industries Incorporated
Prison Performance Information
Government Performance and Results Act Requirements

Mission: It is the mission of Federal Prison Industries to employ and train the requisite number of inmates in federal correctional facilities necessary to ensure the safe and secure operation of such institutions, by producing market-priced, quality goods and services for federal agencies, while operating in a self-sustaining manner that minimizes adverse impact on industry, business, and labor.

Organizational Goals:

1. Provide services and programs to address inmate needs, providing productive use-of-time activities, and facilitating the successful reintegration of inmates into society, consistent with community expectations and standards.

INITIALIVES

Page	Line	Amount
127	86	\$56,210,000

Activations

Proposed Actions

This initiative seeks to address the following objectives:

1. Continue to employ an average of 25% of the inmate population at newly activated low, medium and high security institutions.

Through this request Federal Prison Industries (FPI) seeks 119 positions and workyears and \$56,210,000 to establish factories at new prisons being activated during FY 1997. Through this request, FPI will be able to establish seven factories to support this initiative.

As the Federal Prison System adds secure facilities to reduce overcrowding pressures created by inmate population growth, FPI builds factories in these facilities. These factories reduce undesirable inmate idleness by providing a full-time work program for approximately 20 percent of the inmate population. More than 50 percent of the inmate population do not have marketable skills. FPI provides a program of constructive industrial work wherein job skills can be developed and work habits acquired.

Institution factories and shops are operated by civilian supervisors and managers, training and overseeing the work of inmates. The factories utilize raw materials and component parts purchased from the private sector to produce finished goods. These goods are shipped to Government customers, primarily the Department of Defense, the Postal Service, the Veterans Administration and General Services Administration. Institution factories manufacture such items as furniture, clothing, electronics, metal and canvas products, and provide such services as data processing and furniture refinishing. Orders for goods and services are obtained through marketing and sales efforts by civilian staff.

Extensive testing and product development procedures are required to operate modern factories that produce products which meet Government specifications. Inmate training is also extensive because most of the inmates have had no previous training, experience or skills. Much of the needed training occurs on-the-job with civilian supervisors and experienced inmates explaining and demonstrating the work to newly assigned inmates. Where skills require more formal training, such as soldering, classroom instruction is provided by USDOC staff.

PERFORMANCE MEASUREMENT TABLE: PRESENTED BY GENERAL GOAL

GENERAL GOAL 1: Provide services and programs to address inmate needs, providing productive use-of-time activities, and facilitating the successful reintegration of inmates into society, consistent with community expectations and standards.								
PERFORMANCE INDICATOR INFORMATION		PERFORMANCE TARGETS AND ACTUAL RESULTS						
Type of Indicator	Performance Indicators	1993 Actual	1994 Actual	1995 Target	1995 Estimate	1996 Target	1997 Target	
Input	1. Base number of factories 2. FTEs 3. Base sales volume (\$ 000)	88 1,482 \$417,403	97 1,506 \$404,945	100 1,694 \$304,901	100 1,694 \$394,901	103 1,841 \$432,901	109 1,966 \$465,901	
Output/ Activity	4. Number of inmate jobs added 5. Inmates employed at year-end 6. New orders received (\$ 000)	(444) 18,224 \$378,190	519 18,199 \$455,363	711 17,980 \$440,500	868 18,780 \$440,500	1,285 18,372 \$476,300	1,592 20,165 \$500,000	
Intermediate Outcome	7. New factory activations 8. Increase in sales volume (\$ 000)	8 (\$12,456)	3 (\$10,044)	3 \$38,362	3 \$38,000	6 \$33,000	7 \$35,000	
End Outcome	5. Number of inmates employed as a percentage of inmates housed in low, medium and high security institutions 6. Actual sales as percent of sales projections	29.4% 94%	19% 92%	25% 100%	19% 100%	25% 100%	25% 100%	
A. Definitions of Terms or Explanations for Indicators:								
Indicator 1. Base number of factories equals the number of factories at the beginning of the year.								
Indicator 3. Base sales volume is equal to the previous year sales or shipments to other agencies.								
Indicator 6. New orders received equals the value of new customer orders for FPI products.								
Indicator 7. New Factory activations is the number of new factories added during the fiscal year.								
Indicator 8. Increase in sales volume is the increase in sales over the prior year sales.								
B. Factors Affecting FY 95 Program Performance:								
Indicator 4 and 5. Continuing downsizing of Department of Defense will reduce military procurements.								
C. Factors Affecting Selection of FY 96 and 97 Targets:								
Indicator 4 and 5. National Performance Review recommendations on reduction of federal employment levels (272,000 positions eliminated by 1999) could reduce non-Department of Defense agencies' procurement of goods and services.								

Federal Prison System
Federal Prison Industries, Incorporated
Financial Analysis -- Program Changes
(Dollars in thousands)

Item	Pos.	Amount
Grades		
GS/GM-14.....	3	183
GS/GM-13.....	8	435
GS-12.....	10	458
GS-11.....	9	344
GS-9.....	7	221
Ungraded Positions.....	90	2,768
Total positions and annual rate.....	127	4,419
Special personnel service payments.....	...	937
Lapse (-).....	(41)	(1,427)
Total workyears and personnel compensation.....	86	3,929
Personnel benefits.....	...	1,331
Travel and transportation of persons and things.....	...	310
Comm., utilities, and misc charges.....	...	527
Other services.....	...	1,023
Supplies and materials.....	...	35,760
Equipment.....	...	7,130
Land and structures.....	...	6,200
Total program workyears and obligations changes requested, 1997	86	56,210

Federal Prison System
Federal Prison Industries, Inc.
Detail of Permanent Positions by Category
Fiscal Years 1996 - 1997
(Dollars in Thousands)

Category	1995	1996	1997
	Authorized	Appropriation Anticipated	Program Increases Authorized
Attorneys (905)	2	2	2
Personnel Management (200-299)	4	4	4
Paralegal Specialists (950)	1	1	1
Other Legal and Kindred (900-998)	1	1	1
Correctional Institution Administration (006)	54	57	5
Correctional Officers (007)	4	4	4
General Admin., Clerical and Office Svcs. (300-399)	200	200	200
Accounting and Budget (500-599)	207	213	223
Engineering and Architecture Group (800-899)	7	7	7
Information and Arts Group (1000-1099)	8	8	8
Business and Industry Group (1100-1199)	210	213	218
Equipment, Facilities and Service Group (1600-1699)	114	116	123
Manufacturing Quality Control Group (1900-1999)	80	82	87
Supply Group (2000-2199)	10	10	10
Transportation (2100-2199)	7	7	7
Ungraded (culinary, farm, mechanical and construction)	877	942	95
Administrative Streamlining Reduction			(8)
Total	1,786	1,887	1,986
Washington	280	280	272
U.S. Field	1,506	1,587	1,714
Total	1,786	1,867	1,986

Federal Prison System
Federal Prison Industries, Industries
Summary of Change 1986 - 1987
(Dollars in thousands)

	Perm. Pos.	Work- Years	Amount
1986 President's Request.....	1,867	1,841	\$558,121
1986 Procurement Savings.....	0	0	0
1986 Appropriation Anticipated.....	1,867	1,841	\$558,121
1987 Adjustments to Base:			
Increases (Automatic, non-policy):			
Annualization of 1986 Positions.....	0	41	1,612
Decreases (Automatic, non-policy):			
Administrative Streamline Reductions.....	(8)	(8)	(496)
Change in Cost of Production.....	0	0	(100,000)
Total Decreases.....	(8)	(8)	(100,496)
1987 base.....	1,859	1,874	459,237
1987 Program Changes			
Factory Activations			
Bryan, TX (Low, 10/96).....	14	14	8,555
Forrest City, AR (Low, 9/86).....	21	18	10,105
Beaumont, TX (High, 12/86).....	18	16	8,075
Yazoo City, MS (11/86).....	21	18	9,675
Elkton, OH (Low, 2/87).....	21	11	8,250
Cereswell, TX (Low, 5/87).....	12	5	5,525
Edgelfield, SC (Med, 6/87).....	20	5	6,125
Total Program Changes.....	127	86	56,210
1987 Estimates.....	1,986	1,960	\$515,447

Federal Prison System
Federal Prison Industries, Inc.
Summary of Requirements by Grade and Object Class
(Dollars in thousands)

Grades and Salary Ranges	1995 Actual		1996 Estimate		1997 Request		Increase/Decrease	
	Positions & Workyears	Amount	Positions & Workyears	Amount	Positions & Workyears	Amount	Positions & Workyears	Amount
ES-4, \$109,400	2		2		2			
ES-2, \$99,300	1		1		1			
ES-1, \$94,700	1		1		1			
GS/GM-15, \$69,300-\$90,090	10		10		10			
GS/GM-14, \$58,915-\$76,591	49		50		53		3	
GS/GM-13, \$49,656-\$64,814	101		104		112		8	
GS-12, \$41,926-\$54,508	230		234		243		9	
GS-11, \$34,981-\$45,475	175		179		187		8	
GS-10, \$31,839-\$41,358	18		18		18			
GS-9, \$28,912-\$37,568	181		187		188		1	
GS-7, \$23,834-\$30,728	88		88		88			
GS-6, \$21,269-\$27,650	24		24		24			
GS-5, \$19,081-\$24,805	26		26		26			
GS-3, \$15,183-\$19,747	1		1		1			
Ungraded positions	878		942		1032		90	
Total appropriated positions	1,786	\$83,023	1,867	\$79,933	1,966	\$86,934	119	\$7,001
Pay above stated annual rates	(211)	(2,833)	(41)	(1,068)	(41)	(1,206)		6
Leases	(29)	(344)		(316)		(316)		(16)
Savings due to lower pay scales for part of year		85						
1995 FTE Reduction	1,546	60,772	1,226	78,693	1,945	85,683	119	6,990
Net full-time permanent								
Other than permanent	1	6	1	37	1	39	2	
Part-time permanent	5	36	7	135	7	139	4	
Temporary employment	3	20	7	330	7	335	5	
Other part-time and intermittent employment								
Other personnel compensation	59	3,940	63	3,466	63	3,710	244	
Overtime	2	66	2	130	2	132		
Other compensation		33,665		34,387		35,350	963	
Special personal services payments		98,705		117,178		125,398		
Total, workyears and personnel compensation	1,616		1,906		2,025		119	6,210
Average ES Salary		102,635		105,016		106,591		
Average GS/GM Salary		34,700		41,796		42,423		
Average Ungraded Salaries		38,376		38,376		38,662		
Average GS/GM Grade		10.50		10.96		10.96		

Federal Prison System
Federal Prison Industries, Inc.
Summary of Requirement by Grade and Object Class
(Dollars in thousands)

Object Class	1995 Actual		1996 Estimate		1997 Request		Increase/ Decrease	
	Work- Years	Amount	Work- Years	Amount	Work- Years	Amount	Work- Years	Amount
11.1 Full-time permanent.....	1,546	60,772	1,826	78,683	1,845	85,683	119	6,990
11.3 Other than permanent.....	9	62	15	502	15	513	...	11
11.5 Other personnel compensation.....	61	4,006	65	3,546	65	3,546	...	246
11.8 Special service pay.....		33,865		34,397		35,350	...	963
Total workyears and personnel comp.....	1,616	66,705	1,906	117,178	2,025	125,386	119	8,210
Other objects								
12 Personnel benefits.....		24,812		20,867		22,360		1,453
21 Travel and transportation of persons.....		3,536		4,133		4,400		267
22 Transportation of things.....		3,752		5,355		5,500		145
23.2 Rental payments to others.....		2,246		4,150		4,200		50
23.3 Communications, utilities and miscellaneous charges.....		2,185		8,054		8,400		346
24 Printing and reproduction.....		1,133		1,557		1,700		143
25.1 Advisory and assistance services.....		343		30		30		151
25.2 Other services.....		6,365		13,098		13,290		(75,869)
26 Supplies and materials.....		291,187		305,426		225,527		15,000
27 Equipment.....		1,546		1,546		1,546		0
32 Interest on debt.....		2,460		7,500		7,518		15
43 Internal and dividends.....		0		0		0		0
93 Administrative expenses.....		1,521		3,558		3,740		181
Total direct obligations.....		444,822		502,838		438,000		(64,838)
Unobligated Balance, start-of-year.....								
Unobligated Balance, end-of-year.....		(364,848)		(444,333)		(486,519)		
Total Requirements.....		350,202		496,516		579,953		
		430,376		506,121		515,444		
Revisions of obligations to outlays:								
Total Obligations Incurred.....		444,822		502,838		438,000		
Less:								
Receipts.....		(430,376)		(500,736)		(455,400)		
Obligated Incurred, net.....		14,446		2,202		(17,400)		
Receivables in excess of obligations, start-of-year.....								
Receivables in excess of obligations, end-of-year.....		(270,296)		(246,548)		(244,346)		
Outlays.....		246,548		244,346		261,746		
		(8,350)		0		0		

**Violent Crime Reduction Trust Fund
Authorizations vs. Appropriations
(Dollars in Thousands)**

	DOJ Agency (1995-2000)	Total Auth.	1995 Enacted	1996 Conference	Total Approp. to Date (1997-2000)	Remaining Auth. (1997-2000)	1997 Strat. Auth.	1997 Pres. Request	FTE	Remaining Auth.
PREVENTION										
Violence Against Women:										
Department of Justice:										
Grants To Combat Violence Against Women	OJP	800,000	26,000	130,000	156,000	644,000	145,000	145,000	...	489,000
Grants To Combat Violence Against Women	OJP	120,000	...	25,000	25,000	95,000	33,000	33,000	...	59,000
Rural Domestic Violence Enforcement	OJP	30,000	...	7,000	7,000	23,000	8,000	8,000	...	15,000
Victims of Child Abuse Grants	OJP	36,000	...	6,000	6,000	30,000	8,000	8,000	...	28,000
Court-Appointed Special Advocate Program	OJP	8,000	...	750	750	7,250	1,000	1,000	...	6,250
Grants for Judicial Personnel & Practitioners	OJP	4,250	...	50	50	4,200	1,000	1,000	...	3,200
Grants for Teen/Child Testimony	OJP	6,000	...	1,500	1,500	4,500	1,750	1,750	...	2,750
National Battered Women's Shelters	OJP	1,000	...	500	500	500	600	600	...	400
Grants for Battered Women's Shelters	USA	2,000	...	1,000	1,000	1,000	1,000	1,000	...	1,000
Victims Counselors	OJP	2,000	...	200	200	1,800	...	...	...	1,800
Training for Judges	OJP	200	...	...	...	200	...	...	...	...
State Data Bank Study	OJP	500	...	...	...	500	...	...	...	...
National Study/Canine Assault	OJP	1,010,200	26,000	175,000	201,000	809,200	187,350	187,350	...	612,187
Subtotal DOJ										
Department of Health & Human Services:										
Number & Cost of Injury Study		100	...	...	...	100	...	...	...	100
Rape Prevention Grants		203,000	...	...	...	203,000	...	28,542	...	178,458
Community Programs On Domestic Violence		10,000	...	...	...	10,000	...	3,000	...	7,000
Grants for Battered Women's Shelters		325,000	...	5,000	5,000	320,000	...	18,000	...	307,000
Grants for Battered Women's Shelters		30,000	...	...	...	30,000	...	8,000	...	22,000
Grants for Battered Women's Shelters		4,000	...	...	...	4,000	...	...	...	4,000
Youth Education and Domestic Violence		3,000	1,000	400	1,400	1,600	400	400	...	1,200
National Domestic Violence Hotline		873,500	1,000	8,400	8,400	865,100	108,200	48,942	...	816,158
Subtotal HHS										
Department of Interior:										
Capital Improvements - National Parks		10,000	...	...	...	10,000	...	...	...	10,000
Capital Improvements - Public Parks		15,000	...	...	...	15,000	...	...	...	15,000
Subtotal DOI										
Judiciary:										
Education & Training for Federal Judges		700	...	...	...	700	...	...	...	700
Department of Transportation:										
Capital Improvements - Public Transportation		10,000	...	...	...	10,000	...	10,000	...	...
State Justice Institute		800	...	...	...	800	...	...	...	800
Equal Justice For Women in Court		...	...	...	...	...	...	...	...	...
Total Violence Against Women		1,829,000	27,000	189,400	267,400	1,412,600	306,650	243,978	8	1,168,625

Violent Crime Reduction Trust Fund
 Authorizations vs. Appropriations
 (Dollars in Thousands)

Other	DOJ Agency (1995-2000)	1995 Enacted	1996 Conference	Total Approp. to Date (1997-2000)	Remaining Auth. (1997-2000)	Straight Auth. 1997	1997 Prior Request	FTE	Remaining Auth.
Department of Justice									
Local Crime Prevention Block Grant	377,000				377,000	75,940			377,000
Local Crime Prevention Grants	625,500				625,500	125,100			625,500
State Substance Abuse Treatment For State Prisoners	270,000		27,000	27,000	243,000	36,000	36,000		207,000
State Substance Abuse Treatment For State Prisoners	1,100,000	11,000	100,000	111,000	989,000	130,000	100,000		789,000
State Substance Abuse Treatment For State Prisoners	36,000				36,000	5,000	6,000		31,000
State Substance Abuse Treatment For State Prisoners	19,800				19,800	3,800			16,000
Family Unity Demonstration Grants	2,700		900	900	900	900	900		900
Missing Children/Adolescent Grants	112,500		13,500	13,500	99,000	18,000	25,224	269	73,776
Federal Prison Drug Treatment									
Subtotal, DOJ	2,443,500	11,000	141,400	153,300	2,290,200	416,740	170,124	269	2,120,076
Office of Prevention									
Office of Prevention Council	90,000	1,500	2,000	3,500	86,500	18,000	9,000		77,500
Department of Education									
Family & Community Evidence Schools Program	243,000				243,000	38,450			243,000
Department of Health & Human Services									
Comm. Schools Youth Services & Supervision Grants	567,000	10,000	8,000	18,000	549,000	86,050	13,400		535,550
Community Economic Partnership Fund	270,000				270,000	72,000			270,000
Subtotal, HHS	837,000	10,000	8,000	18,000	819,000	157,050	13,400		661,950
Department of Housing and Urban Development									
Local Partnership Act	1,020,000				1,020,000	283,000	3,000		1,817,000
Department of Interior									
Urban Recreation & At-Risk Youth Grants	4,500				4,500	450			4,050
Department of Treasury									
Drug Rehabilitation Education & Training Projects	45,000	9,000	7,200	16,200	28,800	7,200	7,200		21,600
Total, Other	6,283,000	32,400	188,600	191,000	6,092,000	913,300	202,724	269	4,886,276
TOTAL PREVENTION	5,953,000	89,400	338,000	308,400	5,644,600	1,228,490	488,898	274	5,467,801

**Violent Crime Reduction Trust Fund
Authorizations vs. Appropriations
(Dollars in Thousands)**

	DOJ Agency (1995-2000)	1995 Enacted	1996 Conference	Total Approp. to Date	Remaining Auth. (1997-2000)	1997 Pres. Request	1997 FTE	Remaining Auth.
STATE AND LOCAL LAW ENFORCEMENT								
Department of Justice								
Community Policing	8,900,000	1,300,000	1,803,000	3,103,000	5,897,000	1,950,000	288	3,747,000
Police Corps	100,000				100,000	20,000		66,000
Police Corps	100,000				100,000	20,000		90,000
Police Scholarship Program	24,000				24,000	4,000		22,848
Rural Drug Enforcement Assistance	240,000				240,000	40,000		240,000
Rural Drug Enforcement Assistance	240,000				240,000	40,000		240,000
Border Community Violence Prevention	1,000,000	100,000	25,000	125,000	900,000	50,000		1,000,000
Border Community Violence Prevention	1,000,000	450,000	147,000	597,000	403,000	100,000		1,000,000
Incarceration of Undocumented Criminal Aliens	1,800,000	130,000	300,000	430,000	1,370,000	330,000		1,040,000
State Courts Assistance	150,000				150,000	30,000		120,000
Certain Punishment for Young Offenders	150,000				150,000	25,000		150,000
Violent Offender Incarceration Grants*	7,895,000	24,500	617,500	642,000	7,253,000	1,000,000		6,823,000
Community Based Grants for Prosecutors	50,000				50,000	10,000		50,000
Law Enforcement Family Support	25,000				25,000	2,208		21,792
Drug Identification State Grants	40,000				40,000	3,000		37,000
Job Training for Prisoners	100,000				100,000	1,000		99,000
Improved Tech & Tech Automation	20,000				20,000	2,000		18,000
S&L Training at Quinceco Intelligence Gathering	20,000				20,000	2,000		18,000
Improved Technical Automation at Quinceco	10,000				10,000	4,000		10,000
Subtotal DOJ	20,859,000	2,004,500	2,907,700	4,912,200	15,746,800	3,554,860	288	12,177,940
Department of Treasury								
Rural Drug Enforcement Training FLETG	5,000				5,000	1,000		5,000
TOTAL STATE AND LOCAL ASSISTANCE	20,864,000	2,004,500	2,907,700	4,912,200	15,751,800	3,555,860	288	12,182,940

**Violent Crime Reduction Trust Fund
Authorizations vs. Appropriations
(Dollars in Thousands)**

	DOJ Agencies	Total Approp. (1997-2000)	1999 Enacted	1998 Contracted	Total Approp. to Date	Remaining Auth. (1997-2000)	Straight Auth. ¹	1997 Pres. Request	FTE	Remaining Auth.
FEDERAL LAW ENFORCEMENT										
Department of Justice										
USA General Crime Support	USA	50,000		20,289	20,289	29,731	8,000	29,731	222	
FBI General Crime Support	FBI	245,000		208,800	208,800	35,200	40,000	35,200	32	
DOJ General Crime Support	INS	199,000		73,000	73,000	126,000	40,000	126,000	125	
USAMS	USAMS			(25,000)	(25,000)			(25,477)	(41)	
FBI	FBI							(4,012)	(23)	
DEA	DEA							(76,423)	(9)	
Additional DEA Agents	DEA	150,000		(48,000)	(48,000)	138,000	20,000	138,000	890	
Asylum Reform	INS	338,000	49,000	12,000	12,000	186,014	93,000	186,014	998	28,842
INS	INS		(28,800)	(64,099)	(72,899)			(95,144)	(220)	
EOIR	EOIR		(9,000)	(33,433)	(33,433)			(35,497)	(80)	
USA	USA		(8,800)	(9,231)	(16,031)			(17,759)	(71)	
CIVIL DIVISION	CIV		(4,600)	(7,591)	(12,191)			(12,191)		
Border Control System Modernization	INS	875,000	181,000	231,370	412,370	262,430	204,000	267,857	798	(25,427)
Expatriation and Special Deportation (RFP)	INS	160,000	54,000	54,898	108,898	51,114	49,000	51,114	388	
INS	INS		(43,600)	(40,539)	(84,139)			(91,114)	(388)	
EOIR	EOIR		(9,400)	(14,347)		18,400	3,600	3,235	20	15,078
Criminal Alien Tracking Center	INS	18,400		5,500	5,500	19,500	8,000	9,500		14,000
DNA Analysis	FBI	25,000		1,000	1,000					
Gang Investigation Info. Collection	OJP	1,000		500	500		1,700	1,000		3,600
Motor Vehicle Theft Protection	OJP	5,000		500	500					500
International Summit on Crime	OJP	1,000								
St. Charles Regional Marketing Scheme	FBI	3,500								
FBI Agents	FBI	2,500				7,500	1,500	1,500		8,000
U.S. Airways	USA	10,000				10,000	2,000	2,000	3	2,000
Public Awareness & Prevention Initiatives	USA									8,000
Subtotal, DOJ		1,887,400	284,000	701,869	985,869	901,531	471,300	849,241	3,413	52,290
Judiciary										
General Crime Support		200,000		30,000	30,000	170,000	35,000	35,000		135,000
Department of Treasury										
General Crime Support		550,000	29,700	89,304	99,004	450,996	90,000	90,000		360,996
TOTAL, FEDERAL LAW ENFORCEMENT		2,837,400	313,700	801,173	1,114,873	1,522,527	686,300	874,241	3,413	649,296
TOTAL, DEPARTMENT OF JUSTICE		28,825,100	2,338,400	3,925,969	6,243,349	19,771,751	4,992,290	4,788,238	3,878	14,987,473
TOTAL, GOVT		29,292,400	2,377,600	4,047,612	6,438,413	23,773,972	5,487,240	4,992,000		15,770,137

¹ Straight authorization column shows the funding authorization for 1997 only.

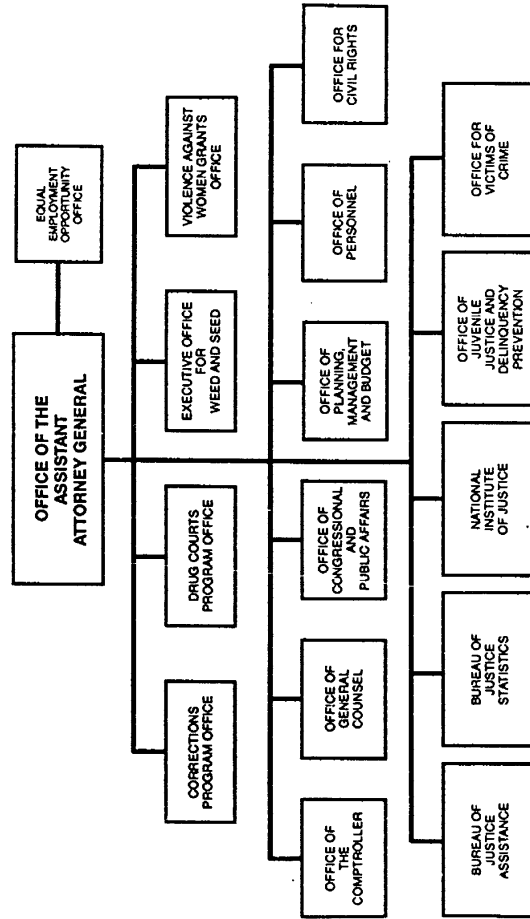
² FY97 1998 Conference mark is the average of House and Senate.

³ Includes \$170 million for SOAAP, \$50 million for drug courts, \$42 million for drug testing, and \$12.5 million for CAP in 1997.

Office of Justice Programs
Justice Assistance
Estimates for Fiscal Year 1997
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OFFICE OF JUVENILE PROGRAMS



Approved by Janet Reno Date 3/12/96
 Attorney General

**Office of Justice Programs
Justice Assistance
Summary Statement
Fiscal Year 1997**

The Office of Justice Programs (OJP) is requesting, for 1997, a total of \$122,597,000, 402 permanent positions, and 346 workyears (includes VWP reimbursable 228 positions and 223 workyears). This request represents an increase of \$7,820,000, 30 positions and 15 workyears (excludes VWP reimbursable increase of 80 positions and 80 workyears) over the 1996 appropriation anticipated.

Budget authority is requested for five existing programs: (1) Research, Evaluation, and Demonstration programs, which conduct research into all aspects of the criminal justice system; (2) Criminal Justice Statistical programs, which provide statistical information dealing with crime and the operation of the criminal justice system at all levels of government; (3) the Missing Children program, which is aimed at combating the criminal and sexual exploitation of children; (4) the Regional Information Sharing System (RISS) program that enhances the ability of State and local criminal justice agencies to identify target, and remove criminal conspiracies and activities spanning jurisdictional boundaries; and (5) the White Collar Crime Center that is developing a national support system for the prevention, investigation and prosecution of economic crimes.

Research, Evaluation, and Demonstration Programs

The National Institute of Justice (NIJ) is the Nation's primary source of research and development on crime and the criminal justice system. NIJ's mandate includes responsibility for understanding the causes of crime, identifying and demonstrating programs and methods for preventing and reducing crime, studying and improving the criminal justice system, evaluating the effectiveness of criminal justice programs to determine what programs work and why they work, and disseminating this information by serving as a national and international clearinghouse for the exchange of criminal justice information. The Institute conducts research on a wide variety of justice policies, conducts demonstration projects, tests new technology that can be used to combat crime, administers technical assistance programs to expand the capacity of State and local criminal justice systems, evaluates existing programs and policies, and provides for a multi-media dissemination program to inform the public of important research, evaluation and demonstration findings. The total 1997 request of \$41,341,000 includes an increase of \$5,000,000 for the DNA Technology and Standards Development Program and \$6,341,000 for the Defense/Justice Partnership Project.

Criminal Justice Statistical Programs

The Bureau of Justice Statistics (BJS) is responsible for the collection, analysis, and publication of statistical information on crime, criminal offenders, victims of crime, and the operations of justice systems at all levels of government and internationally. The mission of the Bureau is two fold: to provide senior officials of the Justice Department, the White House, Congress, the Judiciary, criminal justice practitioners and academia, and the public with accurate and timely justice data and to support the emerging capacity of State and local governments to use justice data as a cornerstone of their justice programs. In 1997 funding level of \$22,879,000 includes an increase of \$1,500,000 for cost-of-living (COLA) expenses payable to the Census Bureau.

Emergency Assistance

This program offers a Federal response to situations of an emergency nature that exceed the capacity of local law enforcement resources. The legislation authorizes the provisions of funds, equipment, training, intelligence information, and personnel to a State in the event of a law enforcement emergency. Budget authority was last provided for the program in 1992. No funds are requested for the program in 1996. The program will be continued with the current unobligated balance of about \$722,703 and any future deobligated funds that become available.

Missing Children

This program, which was first authorized and funded by Congress in 1985, provides funds to combat crimes against children, particularly kidnapping and sexual exploitation, by assisting families, citizen groups, law enforcement agencies and government institutions in a national effort to ensure the safety and protection of children. The 1997 request maintains the 1997 base funding level of \$5,971,000.

Regional Information Sharing System

The RISS program provides funds to maintain six regionally-based information sharing centers throughout the United States that service State and local law enforcement agencies in addressing major, multi-jurisdictional crimes. The program encourages and facilitates the rapid but controlled exchange and sharing of information pertaining to known or suspected criminals or criminal activity among State and local law enforcement agencies and enhances coordination and communication among agencies in pursuit of criminal activity determined to be multi-jurisdictional in nature. For 1997, \$14,500,000 is being requested for the RISS program which is consistent with the 1996 appropriation anticipated level.

White Collar Crime Information Center

The National White Collar Crime Information Center assists Federal, State and local law enforcement and regulatory agencies in multi-State investigations of white collar crime. The Center is developing a national support system for the prevention, investigation and prosecution of economic crimes, and is pursuing an educational and training component targeting agencies which have the responsibility of investigating economic crime. Prior to 1995 this project had been included within the KHS activity. The 1997 request will maintain this activity at the 1996 appropriation anticipated level of \$3,450,000.

Management and Administration

This activity provides for executive direction and control, policy coordination, and the full range of management responsibilities of the Office of Justice Programs (OJP) and its Bureaus, which are the National Institute of Justice, the Bureau of Justice Statistics, the Bureau of Justice Assistance, the Office of Juvenile Justice and Delinquency Prevention, and the Office for Victims of Crime. The 1997 request of \$16,056,000, 401 positions, and 186 workyears represents an increase of \$1,975,000, 30 positions and 15 workyears over the 1996 appropriation anticipated. This increase includes \$7,320,000 in adjustments to base and \$1,653,000 for 30 positions, 15 workyears, to support the National Institute of Justice. In addition, an increase of 80 positions and 10 workyears are required for the management and administration of the \$1.9 billion requested under the Violent Crime Reduction Program account for programs authorized by the Violent Crime Control and Law Enforcement Act of 1994 (VCLREA).

Office of Justice Programs
Justice Assistance
Justification of Proposed Changes in Appropriated Language

Justice Assistance

For grants, contracts, cooperative agreements, and other assistance authorized by title I of the Omnibus Crime Control and Safe Streets Act of 1968, as amended, and the Missing Children's Assistance Act, as amended, including salaries and expenses in connection therewith, and with the Victims of Crime Act of 1984, as amended, \$117,797,000 to remain available until expended, as authorized by section 1001 of the Omnibus Crime Control and Safe Streets Act.

Note. A regular 1996 appropriation for this account has not been enacted at the time this budget was prepared. The 1996 amounts included in this budget are based on the levels provided in three continuing resolutions: P.L. 104-91, P.L. 104-92, and P.L. 104-99.

Office of Justice Programs
Justice Assistance
Continuum of Care Changes
(Dollars in Thousands)

Activity Program	1996 President's Budget Request Pos. NY Amount	Conference Action 1996 Request Pos. NY Amount	Transfers Between Accounts Pos. NY Amount	Reprogramming Pos. NY Amount	1996 Conference Assistance Pos. NY Amount
Research, Evaluation and Demonstration Programs	—	—	—	—	—
Criminal Justice Statistical Programs	—	—	—	—	—
Missing Children	—	—	—	—	—
Regional Information Sharing System	—	—	—	—	—
White Collar Crime Information Center	—	—	—	—	—
Management and Administration*	—	—	—	—	—
TOTAL, JUSTICE ASSISTANCE	372 381 192,346	— (10) (8,487)	— 4,800	—	372 371 184,777

Continental Association Actions.

Congressional action increased funding for two Justice Assistance programs. Research, Evaluation and Demonstration Programs was increased by \$2,310,000 and the White Collar Crime Information Center was increased by \$2,450,000. Congress also decreased funding for two programs: Criminal Justice Statistical Program was decreased by \$641,000 and the Management and Assistance activity was reduced by a total of \$2,388,000 and 11 Workyears.

Transfers from Other Accounts. Provides \$4,800,000 from the Juvenile Justice Programs account for management and administration.

* Excludes 148 positions and 143 workyears funded by reimbursement for the OJP, VCRP

Office of Justice Programs
Justice Assistance
Summary of Requirements
(Dollars in thousands)

Adjustment to Base:			
1995 Conference Allowance: Justice Assistance.....	Perm.	WOC	Amount
	372	371	\$99,977
Transfers in from other accounts:			
Juvenile Justice Appropriation for Administrative Functions.....			4,800
1996 Appropriation Anticipated.....	372	371	194,777
Increases: Justice Assistance.....			3,320
1997 Base.....	372	371	199,997
Program Changes (See Program Narrative for Details): Justice Assistance.....	30	15	14,500
1997 Estimate.....	402	386	122,897

	1996 Appropriation Anticipated			1997 Base			1997 Estimate			Increase/Decrease		
	Perm.	WOC	Amount	Perm.	WOC	Amount	Perm.	WOC	Amount	Perm.	WOC	Amount
Estimates by judicial authority:												
Research, Evaluation, and Demonstration Programs.....			\$30,000			\$30,000			\$41,341			\$11,341
Criminal Justice Statistical Programs.....			21,979			21,979			22,979			1,000
Missing Children.....			5,971			5,971			5,971			
Regional Information Sharing System.....			14,500			14,500			14,500			
White Collar Crime.....			3,650			3,650			3,650			
Victims of Child Abuse Program.....												
Management and Administration:												
Executive Direction and Control - NJ.....	48	50	3,309	48	50	3,607	78	65	5,285	30	15	1,659
Executive Direction and Control - BJS.....	55	56	3,645	55	56	3,973	55	56	3,973			
Executive Direction and Control - OJJ.....	80	71	4,800	80	71	4,800	80	71	4,800			
Executive Direction and Control - BJA.....	57	59	3,359	57	59	3,681	57	59	3,681			
Executive Direction and Control - OVC.....	28	27	1,695	28	27	1,728	28	27	1,728			
OJP Other Activities**.....	108	108	12,329	108	108	14,528	108	108	14,528			
Subtotal MAA.....	372	371	29,077	372	371	32,367	402	386	34,058	30	15	1,659
TOTAL Justice Assistance.....	372	371	194,777	372	371	199,997	402	386	122,897	30	15	14,500

* Excludes 146 positions and 143 workyears in 1996 and an increase of 80 positions and 80 workyears in 1997 funded by reimbursement for the OJP VCRP.

** Funding for VCRTP administration is requested and justified under the VCRP account.

Office of Justice Programs
Summary of Resources by Program
Justice Assistance
(Values in Thousands)

	1986 Estimated			1986 Actual			1986 Appropriation			1987 Base			1987 Estimate			Increase/Decrease		
	Perm	Chg.	NY Amount	Perm	Chg.	NY Amount	Perm	Chg.	NY Amount	Perm	Chg.	NY Amount	Perm	Chg.	NY Amount	Perm	Chg.	NY Amount
ESTIMATES BY PROGRAM																		
Research, Evaluation, and Demonstration Progs.....	—	—	27,000	—	—	26,219	—	—	30,000	—	—	30,000	—	—	41,341	—	—	11,341
Criminal Justice Statistics Programs.....	—	—	21,379	—	—	21,832	—	—	21,379	—	—	21,379	—	—	22,879	—	—	1,500
Emergency Assistance.....	—	—	—	—	—	351	—	—	—	—	—	—	—	—	—	—	—	—
Juvenile Justice Programs.....	—	—	—	—	—	31,728	—	—	—	—	—	—	—	—	—	—	—	—
Missing Children.....	—	—	—	—	—	9,058	—	—	—	—	—	—	—	—	8,971	—	—	—
Civil Control Programs.....	—	—	—	—	—	72	—	—	—	—	—	—	—	—	—	—	—	—
Regional Information Sharing System.....	—	—	—	—	—	16,818	—	—	14,800	—	—	14,800	—	—	14,800	—	—	—
White Collar Crime.....	—	—	—	—	—	1,400	—	—	3,880	—	—	3,880	—	—	3,880	—	—	—
Anti-Drug Abuse Program.....	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
State and Local Law Enforcement Cts.....	—	—	—	—	—	8,882	—	—	—	—	—	—	—	—	—	—	—	—
Violence of Child Abuse Program.....	—	—	—	—	—	34	—	—	—	—	—	—	—	—	—	—	—	—
Management and Administration.....	—	—	—	—	—	800	—	—	—	—	—	—	—	—	—	—	—	—
Exec. Director & Council - NJ.....	48	80	2,524	48	48	3,363	48	80	3,248	48	80	3,607	78	86	5,288	30	18	1,680
Exec. Director & Council - S.A.S.....	95	95	3,883	95	82	3,486	95	95	3,445	95	95	3,873	95	95	3,873	—	—	—
Exec. Director & Council - C.U.....	80	71	4,800	80	67	4,800	80	71	4,800	80	71	4,800	80	71	4,800	—	—	—
Exec. Director & Council - S.A.A.....	57	59	2,787	57	56	2,770	57	59	2,839	57	59	3,081	57	59	3,081	—	—	—
Exec. Director & Council - C.V.C.....	28	27	1,712	28	26	1,685	28	27	1,845	28	27	1,736	28	27	1,736	—	—	—
CJP Support Activities.....	88	113	3,183	88	115	3,282	118	118	3,233	118	118	3,638	118	118	3,638	—	—	—
Subtotal NJA.....	348	347	21,702	348	343	22,046	372	371	25,077	372	371	22,897	402	398	24,068	30	18	1,168
TOTAL JUSTICE ASSISTANCE.....	348	344	165,788 *	348	343	167,491	372	371	194,777	372	371	194,097	402	398	172,897	30	18	14,880
Administrative Workyears.....	62	—	—	62	—	—	153	—	—	153	—	—	223	—	—	80	—	—
Total Workyears.....	431	—	—	393	—	—	514	—	—	514	—	—	609	—	—	80	—	—
Other Workyears.....	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Overlays.....	—	—	—	1	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Total Compensation Workyears.....	431	—	—	394	—	—	514	—	—	514	—	—	609	—	—	80	—	—

* The \$1.8 million transferred from OHCOP was also scored as a reimbursement, therefore, budget authority in 1986 does not agree with the 1987 President's Budget.

Office of Justice Programs
 Research and Statistics
 Bureau of Statistics
 Justice Activities
 (Excluded in this column)

Funding	1985 Actual			1986 Estimate			1987 Request			Increase/Decrease		
	Pos.	Net	Amount	Pos.	Net	Amount	Pos.	Net	Amount	Pos.	Net	Amount
Penitentiary												
Collection of Records												
State Justice Institute			865			865			865			
Federal Emergency Management Agency			100			100			100			
Office of National Drug Control Policy			2,300			2,300			2,300			
Department of Education			20			20			20			
Department of Justice and Human Services			2,647			2,647			2,647			
Department of Justice	72	40	32,817	148	143	64,180	228	223	34,222	80	80	(10,000)
Department of Treasury			150			150			150			
Department of Commerce			35			35			35			
Budgetary Reserves	72	40	37,614	148	143	70,000	228	223	80,000	80	80	(10,000)
Other Federal Programs												
Research, Evaluation and Demonstration Programs			823,560			23,560			23,560			
General Justice Statistical Programs			1,100			1,100			1,100			
Juvenile Justice Programs			4,823			4,823			4,823			
Crime Control			1,608			1,608			1,608			
Anti-Drug Abuse Program	72	40	8,683	148	143	63,317	228	223	30,317	80	80	(10,000)
Management and Administration	72	40	37,614	148	143	70,000	228	223	80,000	80	80	(10,000)
Total												
	72	40	37,614	148	143	70,000	228	223	80,000	80	80	(10,000)
Research, Evaluation and Demonstration Programs												
Source of Reimbursement												
State Justice Institute			865			865			865			
Federal Emergency Management Agency			100			100			100			
Department of Education			1,874			1,874			1,874			
Office of National Drug Control Policy			20			20			20			
Department of Justice			150			150			150			
Department of Treasury			28,021			28,021			28,021			
Department of Justice			23,560			23,560			23,560			
Total												

Goods or Services Provided
 Represents funds received by contributing agency for joint research projects to be administered by the National Institute of Justice

**Office of Justice Programs
Justice Programs
Administration of Subsequent Proceedings, Continued**

Criminal Justice Statistical Programs

	1987 Actual		1987 Estimate		1987 Requested		1987 Approved		1987 Reverted	
	Pos.	Neg.	Pos.	Neg.	Pos.	Neg.	Pos.	Neg.	Pos.	Neg.
Office of National Drug Control Policy										
Department of Justice										
Total										

Grants to State and Federal
Prosecutors directed by participating agencies for joint statistical projects to be administered by the Bureau of Justice Statistics

Juvenile Justice Programs*

Bureau of Investigation, Department of Justice										
Total										
Grants to State and Federal Prosecutors in 1987 are for joint projects related to juvenile justice and delinquency procedures to be administered by the CJDP										

Civil Control

Bureau of Investigation, Department of Justice										
Total										
Grants to State and Federal Prosecutors in 1987 represent grant programs administered for the Dept. of Justice for the Office of Special Counsel for Investigation Related Under Employment Practices, the Civil Rights Division and the Criminal Division.										

* The "Juvenile Justice Programs" account was newly established by Congress in 1986. Numbers of past-year program activity for these programs are indicated here.

OFFICE OF JUSTICE PROGRAMS
RESEARCH, EVALUATION AND DEMONSTRATION PROGRAMS
PROGRAM PERFORMANCE INFORMATION
GOVERNMENT PERFORMANCE AND RESULTS ACT REQUIREMENTS

MISSION: To establish new information on crime and to determine what works and why in prevention, enforcement, adjudication of crime and its consequences.

ORGANIZATIONAL GOALS:

1. Reduce violent crime, drug-related crime, and victimization.
2. Reduce the consequences of crime for neighborhoods and communities.
3. Develop new technology for law enforcement and the criminal justice system.
4. Improve the effectiveness of law enforcement, criminal justice, correctional and service systems' response to offenses and victimization.
5. Develop community, household, school, and workplace crime prevention programs.
6. Implement the statutory mandate requiring NIJ to conduct program evaluations of the Bureau of Justice Assistance block and discretionary grant drug control programs.
7. Communicate research findings to policy officials, practitioners, and researchers through modern communication technology as well as through traditional media.

OFFICE OF JUSTICE PROGRAMS
RESEARCH, EVALUATION AND DEMONSTRATION PROGRAMS
PROGRAM PERFORMANCE INFORMATION
(Dollars in thousands)

Research, Evaluation and Demonstration Programs	Amount
1996 Availability	\$30,000
1997 Base	30,000
1997 Estimate	41,341
Increase/Decrease	11,341

BASE PROGRAM DESCRIPTION: Authorized by the Omnibus Crime Control and Safe Streets Act of 1968, as amended, (42 U. S. C. 3721), the National Institute of Justice (NIJ) is the nation's primary source of research and development in the field of criminal justice. To accomplish this mission, NIJ (1) fosters innovation in law enforcement technologies and practices; (2) investigates the causes, correlates, and patterns of crime and criminal behavior; and (3) informs the public of our research and development findings. Each function is discussed separately below.

1. NIJ Fosters Innovation.

NIJ is a catalyst of ideas by supporting the development of knowledge. Many innovations supported by NIJ are now part of everyday criminal justice practice. For example, NIJ supported the research which led the FBI to use metal detectors in airports. NIJ supported researchers trained the first bomb-sniffing dogs. The concept of community policing as a method for reducing crime was, in part, an outgrowth of a program of research funded by NIJ. Other examples include:

- Protecting police. Researchers sponsored by NIJ developed protective body armor which has saved the lives of 1,800 police officers. An estimated \$1.8 billion in survivor and replacement costs to law enforcement agencies has been saved as a result, and a multi-million dollar international manufacturing industry was created. Soft body armor manufactured in compliance with the NIJ standard protects an estimated 400,000 law enforcement officials nationwide, in addition to the secret service and most heads of state, including the President.
- Revolutionizing fingerprint collection. NIJ funded researchers developed an electronic wand the size of a fountain pen to collect fingerprints. Officers no longer have to take evidence from the scene to a lab for analysis but can lift prints right on the spot, saving time, money, and property (under the old

- technology, a bathtub with a suspect's fingerprints on it would have to be removed from the crime scene and taken to the crime lab). Our initial investment of \$96,000 launched a new industry, with 200,000 fingerprint vendors in use today.
- Introducing and improving forensic DNA testing. NIJ brought DNA testing to law enforcement by developing testing standards and proving the reliability of DNA evidence. NIJ funded research recently produced a new and less complex technology for DNA testing which works faster and costs less.
 - Demonstration programs. Our 'Girl Scouts Behind Bars' is a mother-daughter visitation program that improves correctional outcomes. Our \$15,000 investment has leveraged 35 times that amount in private funds to replicate the program in 13 other correctional facilities across the country. We are also involved in the recently-initiated DC Drug Court Demonstration Project. The District of Columbia and 10 other communities are experimenting with specialized courts targeted to drug-involved criminals based on our initial case study and evaluation of the Miami Drug Court.
 - Building local capacity and a national resource. NIJ was the first major funder of criminal justice research. This sustained program of research supported the development of the field of criminal justice as an academic discipline. The existence of this academic opportunity has advanced the educational level of criminal justice professionals, from foot patrol officers to police commissioners. Eleven universities now have Ph.D. programs in criminal justice, and over a thousand universities and colleges offer undergraduate degrees in criminal justice.
- In 1996 and 1997, NIJ will focus its base resources for innovation on:
- Bringing technology out into the field. The National Law Enforcement Technology Center and five regional centers which will provide Federal, State, and local law enforcement agencies with objective information on new equipment and technologies.
 - Increased private sector involvement. Our National Center for the Commercialization of Law Enforcement Technology will work with private industry to develop affordable new products for law enforcement.
 - Sharing and developing new technologies. NIJ will continue to collaborate with the Department of Defense on the development of less-than-lethal technologies, such as the sticky foam which was used by Marines in Somalia, and the pepper spray used for law enforcement in the United States and in Haiti.
 - Better forensic techniques. NIJ will continue to support research and development to promote wider availability of, and better methods for DNA testing; new technologies to identify the remains of murder and disaster victims; and research to improve analysis of trace evidence such as gunshot residue and adulterated food and drug products.

- Improving safety for officers, citizens, and suspects. NIJ funded scientists are inventing new ways to stop suspects from fleeing on foot or by car, such as sticky foam, aqueous foam, and retractable spiked barrier strips. The NIJ research program is improving officer and citizen safety through the development of rear seat airbags and a "Smartgun" technology.
- 2. NIJ Investigates the Causes and Correlates of Crime.
 - NIJ research findings are reducing crime and saving law enforcement dollars in communities across the country. Much of today's common knowledge about crime comes from NIJ funded research. For instance, NIJ researchers identified the link between drugs and crime and found that reducing the level of drug use reduces the level of criminal behavior, even among hard core drug users. It was NIJ research that showed that a majority of all crimes are committed by very few criminals. Common law enforcement management techniques such as community policing, differentiated response to 911 calls, and the design of foot patrols for optimal crime reduction all resulted from NIJ sponsored research. A sample of the practical applications of our research findings is as follows.
 - Guns in schools. A recent, NIJ funded survey found that one in five inner-city students (one in three males) had been shot at, stabbed, or otherwise injured with a weapon at or in transit to or from school in the past few years. The same study found that one in four considered guns, such as semi-automatic pistols, easy to get in their neighborhood; two thirds personally knew someone who carried a weapon to school and one in four reported carrying weapons while in school. Based on these startling findings, NIJ recently funded four innovative research demonstration programs to reduce youth access to firearms.
 - Understanding our vulnerability to domestic terrorism. Recently published NIJ supported research indicates that local preparedness to prevent and fight acts of terrorism is best in our largest cities and more limited in smaller communities. Small American communities are more vulnerable to attacks from extremist political and issue-specific groups because they lack detection and response capacity and because extremist groups find remote locations attractive.
 - Detering domestic violence. NIJ funded research on domestic violence showed that the greatest deterrent to repeat offenses is arrest. Pro-arrest policies are now the norm for domestic violence cases in over 90 percent of police agencies across the country, and over half the states have dismantled legislation that prevented police from making an arrest if the officer did not witness the crime. Ongoing NIJ research grants will examine characteristics linked to domestic violence such as unemployment.
 - National drug use data. Our Drug Use Forecasting (DUF) program tests newly arrested men and women for drug use in 21 cities. DUF gives us a large, national data base on drug use by suspected criminals. DUF researchers were able to disprove fears of a heroin and ice epidemic, but showed that marijuana use is on

the rise, particularly among juvenile arrestees. NIJ's long-standing involvement with drug testing has led to improvements in the technology. For instance, juvenile arrestees are tested two to seven times as likely to test positive for drug use through hair testing, rather than urinalysis. DUP is also a flexible research platform which can quickly answer specific research questions by adding a question or two to the existing survey. In this way, we recently found that gun ownership was twice as likely among arrestees who report selling drugs (73%) as it was among those who did not report selling drugs (39%).

- One-day, one trial. NIJ funded research on court delay and jury management led to a variety of reforms including the American Bar Association's time standards and the one-day one trial jury system now prevalent throughout the country.

- Boot camps, electronic monitoring, and day fines. NIJ's support of intermediate sanctions has fostered innovative alternatives to incarceration which seek to reduce recidivism and lower the cost of corrections. NIJ launched an evaluation program to look at the effectiveness of some of the 80 military style boot camps around the country which aim to instill discipline and change the behavior of prisoners. Our research has also fostered the development of various electronic monitoring devices which allow some offenders to live in the community instead of in a prison, providing significant savings and constant surveillance of the offender's activities. Day fines, restitution, and other flexible sanctions have flourished based on our positive evaluation findings.

In 1996 and 1997, NIJ will focus its base resources for investigation on:

- Learning how criminal behavior develops. A new NIJ funded study of 11,000 subjects from birth through young adulthood will document the development of behavior patterns. Cognitive, abstract reasoning, language abilities, and community factors will be studied to learn how criminal behavior develops.
- Continued commitment to existing research goals. NIJ will continue to devote resources to research on our six goal areas:
 - Violence - including studies of offenders, patterns of violence, and firearms violence.
 - Drug- and alcohol-related crime - including study of the relationships among drugs, alcohol and violence; and evaluation of substance abuse prevention, treatment, and aftercare programs.
 - Consequences of crime - including study of victim needs, victim services programs; and criminal justice responses to victims.
 - Crime prevention - including evaluation of community based crime prevention partnerships, and study of crime by and related to illegal aliens.
 - Criminal justice system - including evaluation of specialized courts, and analysis of restorative justice and community-based prosecution programs.

- New technology - including virtual reality officer training, means of detecting concealed weapons, and ways to detect and disable explosives.
- Examine sentencing practices and their effects. NIJ anticipates a special solicitation in 1996 to evaluate the impact of "three strikes and you're out" laws, assess current sentencing schemes, and devise innovative sentencing strategies.
- Evaluate projects funded under the Edward Byrne Memorial Program. NIJ has a statutory mandate to conduct evaluation of Bureau of Justice Assistance (BJA) programs. NIJ staff manage research grants funded by BJA for this purpose. NIJ has typically not had the resources to fully address this responsibility, but is working with BJA to take an increasing role in assessing the effectiveness of local programs.

3. NIJ Informs the Public on Research Findings.

Last year NIJ distributed 5 million documents in paper or electronic format - over 160,000 people requested one or more of our 61 different publications. Our mix of publication types reflects the needs of our customers. For example, we just developed a 2-page "NIJ Update," a format designed for a researcher or criminal justice official eager for the latest information and interested in receiving it as quickly as possible. This format allows us to get our findings out and into practice without delay. In addition to our written publications, 3,250 people had direct contact with NIJ at our conferences, focus groups, issue-specific strategic planning sessions, and research in progress seminars. NIJ works directly with law enforcement and criminal justice practitioners to assure that our products are relevant. Some examples of our communications role include:

- Providing criminal justice information. The National Criminal Justice Reference Service (NCJRS) is the largest clearinghouse for criminal justice information in the world. In addition to its client base of 106,000 users, NCJRS responded to 65,000 requests for information last year. NCJRS materials and services influence state and national level legislation on crime by providing access to 133,000 documents on 13 subjects to anyone who calls their toll free number, or places a request via the Internet.
- Making law enforcement safe. Local law enforcement relies on our published safety standards when purchasing products ranging from patrol cars and tires to handcuffs and guns. We save communities money by setting the standards industry must meet, and then supervising the tests at industry's expense.
- Bringing resources together. Our initiative to provide a centralized information sharing mechanism for the criminal justice community has resulted in the collaboration of 35 federal clearinghouses from 7 agencies working in the area of crime. The result is the Partnerships Against Violence Network (PAVNET).

which identifies promising or effective programs to combat and prevent youth and family violence. This guide describes the program, identifies available resources, and lists the government or private sponsors of the program.

- Making data available. Our Data Resources Program makes the data collected in all NIJ research available to the public. Last year, we distributed 603 copies of our CD-ROM, "Violence Research Data" which contains 59 separate data sets.

In 1996 and 1997, NIJ will focus its base resources for information on:

- Faster dissemination of research findings. NIJ will continue to adopt new formats for dissemination of findings in a timely fashion and will reduce the existing backlog of unpublished research findings from completed projects.
- Issue-specific conferences. In addition to our annual evaluation conference, we anticipate special conferences on domestic violence, firearms and gangs/ regional criminal justice workshops; and special strategic planning workshops and focus groups.
- Greater use of electronic media. We are working toward increased use of the Internet both for receiving requests for information and for electronic delivery of requested documents. We plan to develop an on-line database of information on promising drug prevention and other criminal justice improvement programs.
- Targeted practitioner reports. We anticipate 1) special publications in such areas as environmental crime, victim/witness intimidation, Native American issues in criminal justice, gangs and drugs, and innovative programs to combat youth violence.

PROGRAM CHANGES

	Amount
DNA Technology and Standards Development Program	\$5,000

This initiative seeks to achieve a highly accurate, reliable, economic, quick and acceptable DNA testing approach for suspect investigation and identification for violent crime.

Major Objectives for the five year period 1997-2002 include:

- Reducing DNA testing costs more than 5,000 percent, from roughly \$700 to less than \$10 per test.

- Reducing performance time for DNA testing to about 10 minutes instead of hours;
- Developing inexpensive, discardable DNA test systems suitable for use in the field;
- Increasing the reliability and legal credibility of DNA testing through the development of a dual testing approach, using two different methodologies; and
- Developing standard materials for population data base genetics.

Achieving these goals will require \$25 million over the next five years. NIJ, therefore, is requesting an increase in research program base funds of \$5 million per year to support these goals and objectives.

NIJ's Leading Role. Almost all the forensic DNA research done in the United States has been funded in whole or in part by the National Institute of Justice. In fact, since 1985, NIJ has invested more than \$4 million in forensic DNA research. In 1991, an NIJ funded Standard Reference Materials Kit was produced for use by DNA laboratories to help assure reliable results with the most commonly used DNA identification process. That kit was recognized in 1993 by *Research and Development Magazine* as one of the 100 best research and development projects in the United States. Even the National Research Council report used by Judge Ito in the O.J. Simpson trial was funded by NIJ. As a consequence of those investments, DNA identification technology has become the preferred identification evidence in criminal and civil trials. The NIJ task now is to eliminate any ambiguities that remain and to make it easier, cheaper and quicker to develop accurate DNA identifications. These tasks are all the more important because there has, in the past three years, been an explosion of new developments in DNA identification technologies.

NIJ has just completed and will shortly offer for sale a standard materials kit for a new DNA technology (PCR) which can produce results in a day at a cost of about \$30 per test. This technology serves as a supplement to the more accurate and commonly used method (RFLP). The continued development of forensic DNA testing, standards development, and population genetics studies is critical to the successful investigation and prosecution of violent crimes. The rapidly growing demand for FBI DNA testing for use in the courtroom, as well as at the investigative law enforcement level, has resulted in the inability of the FBI to physically process all of the requests. The current time and expense attached to DNA testing is having a negative impact on the use of DNA evidence in law enforcement. For example, the most discriminating of all the tests (RFLP) not only costs \$700, but takes six weeks to complete. As stated above, current PCR testing techniques improve costs and time but sacrifice reliability. As a consequence, PCR is used generally to test for exclusion of suspects, while the more expensive and time consuming RFLP test is used to match suspects to crime scene evidence.

NIJ's continued leadership is crucial. The Attorney General has asked NIJ to enhance the DNA capabilities of qualified state and local laboratories. Congress has asked NIJ to develop a way to ensure the accuracy

of DNA identifications by laboratories. NIJ is well positioned to provide government leadership to the enhancement of DNA technology because NIJ has no investigative mission and can bring independence and objectivity to the task. It is this independence that caused the FBI to ask NIJ to work with the National Academy of Science (NAS) to settle several key controversies surrounding DNA identification, an effort that is now underway. Settling these issues is essential to the successful and credible implementation of the FBI's Combined DNA Index System (CODIS) initiative.

NIJ works in partnership with the FBI and an extensive array of other government entities, such as the Department of Defense, Department of Energy, Department of Treasury, the Navy, the Army, the Air Force and the National Institute of Standards, to share information and to assure that duplication of effort does not occur. NIJ and FBI currently collaborate on a number of DNA initiatives, such as the DNA Identification Act of 1994 and funding for state and local laboratories for expansion of capabilities. FBI provides comments to NIJ on all forensic science project proposals recommended by our review panels. In addition, FBI participates annually in NIJ's review of progress on ongoing forensic science projects.

The challenge ahead. The criminal justice system is becoming more and more dependent on physical evidence for solving violent crime and less reliant on eye-witness testimony. The challenge for the 21st Century is to be able to identify offenders quickly, with high accuracy and at low cost, using minuscule sources of physical evidence.

Dual technology approach. These factors make it especially important to the legal credibility of DNA evidence and the protection of the innocent that a dual DNA testing technology approach be developed. Each of the following two technologies would increase the accuracy of DNA testing of crime scene evidence and significantly reduce the time and cost required for an identification, but their application to the forensic sciences and DNA testing remains undeveloped. Over the next five years, NIJ hopes to develop the following two technologies to increase accuracy and credibility of testing:

Technologies to Increase Accuracy and Credibility:

1. Microchip DNA Testing Technology Program. Current microchip technology in non-forensic fields has progressed to the point where it is now possible to adapt and develop a disposable, self contained automatic PCR-based DNA testing system for blood samples. This system could be operated at a fraction of the cost of current systems. Cost for development would be \$6 million with early prototypes ready by 1999 and completed delivery by the year 2001.
2. Mass Spectrometry DNA Testing Program. Mass spectrometry has been used for trace evidence analysis in forensic labs for years. This technology would be developed in conjunction with an improved PCR testing system. Genetic markers developed using a PCR approach would be amplified by mass spectrometry and read

off the spe. trograph. This would increase the speed of identification to a fraction of the current time required, increase the accuracy of identifications, reduce costs and eliminate the use of dangerous radioactive materials in DNA analysis. Cost of developing this technology is expected to be \$5 million with delivery in 2002.

In addition, NIJ will have to develop standards to ensure the accuracy and effectiveness of each of these technologies, and to support the application of these standards to crime laboratories in the United States. This effort will cost \$5 million with delivery of standards for selected technologies occurring each year.

Technologies to Improve Testing and Reduce Cost:

1. Reverse Dot Blot Technology. This technology is a new marking system used in (mitochondrial) mtDNA testing, which capitalizes on several important characteristics of mitochondrial which male identifications more accurate and allow the use of badly degraded materials (e.g., from months-old blood stains, hair, or years-old cadavers). NIJ is funding creation of a kit that will allow mtDNA to be tested inexpensively using a PCR method rather than the more expensive and time consuming direct sequencing or regular dot blot methods. With appropriate funding support, the kit could be available to all DNA labs at a low cost in three years. Cost for kit development and the establishment of the population frequencies is \$1 million, with delivery in 1999.
2. Chemiluminescence. An evolving technology would permit illumination, usually fluorescent, of DNA samples during testing. This technology does not require the radioactive materials involved in RFLP testing, and would significantly speed recognition of the DNA markers without reducing accuracy. Development and testing of a forensic application and development of an amended DNA testing standards would cost \$3 million with delivery in 2000.
3. Robotics Assay Development. This technology will automate every aspect of the DNA testing procedure. This addresses the issue of evidence contamination by reducing the physical involvement of human technicians handling the samples during DNA testing. Robotics assays are also expected to speed the process. Initial experimentation with forensic applications of this technology would cost \$5 million, with delivery in 2001.
4. Standard Materials Kit for Population Data Base Genetics. This kit will provide local laboratories with the population data base genetics information they need to calculate the frequencies and probabilities for the reliability of DNA matches. Development of this kit will cost \$1 million, with delivery expected in 1999.

Given the state of the art eight years ago when NIJ began its DNA research program, the results of what amounts to a relatively small investment are impressive and account for most of the advances made in this

field. During the next five years, this proposed program enhancement would provide law enforcement investigators and prosecutors at the Federal, State and local levels with vastly improved tools to identify and develop strong cases against suspects who commit violent crimes. It would also provide needed tools to help coroners and the military services identify the remains of disaster and murder victims.

Amount
\$6,341

The Defense/Justice Partnership.

This initiative seeks to leverage technology investments already made by taxpayers to address significant law technology enforcement shortfalls and to transfer those technologies successfully to law enforcement at the Federal, State and local levels.

Major Objectives:

- Develop needs and requirements for law enforcement applications, adapt defense technologies so that they can be used by law enforcement, and field prototype systems for evaluation.
- Develop standards and test products developed under this program as well as products developed elsewhere.
- Develop Less-Than-Lethal Technologies which will minimize the risk of death or injury to law enforcement/corrections officers and citizens during police or corrections operations which require the use of force.

These activities support the Department's obligation under a Memorandum of Understanding (MOU) between the Department of Justice (DOJ and FBI) and the Department of Defense (DOD) on Operations Other Than War and Law Enforcement, signed by the Attorney General on April 20, 1995. This MOU brings to DOD significant benefits, but also imposes certain requirements, such as:

Day-to-day management of the program will be the responsibility of a Joint Program Steering Group (JPSG)...Technical program managers will be provided by both signatories...DOJ will fund its own evaluation activities...The receiving agency will be responsible for funding any optimization or modification necessary to make the products suitable to perform their missions...Each Department is expected to fund that part of the project necessary to integrate the technology into its own operational missions.

In addition to the signed commitment of the Attorney General to this effort, the MOU has received significant support from Congress and from the Vice President. WJ requests an increase in research program base funds of \$6,341 million to support this significant responsibility.

In June, 1993, the Attorney General formally requested the assistance of the Secretary of Defense in developing, identifying, and transferring military technologies useful to civilian law enforcement. In April, 1994, the Vice President of the United States hosted the signing of a 5-year, renewable memorandum of understanding (MOU) between the Department of Justice and the Department of Defense. The MOU created a joint management team, headed by the Deputy Attorney General and the Deputy Secretary of Defense, to develop technologies which met both military and law enforcement needs.

Under the agreement, the National Institute of Justice and the Department of Defense's Advanced Research Projects Agency (ARPA) each provide three full-time technologists to staff the Joint Program Steering Group (JPSG). The Department of Justice is required by the MOU to fund those parts of each project which are required to adapt a technology to specific law enforcement requirements and to fund field demonstrations of those technologies. DOD is required to fund adaptations of technologies to meet specific military requirements. Congress subsequently appropriated \$17.5 million in unrequested funds to support this initiative in 1995. In addition, Congress appropriated \$4.5 million to establish the NIJ law enforcement technology centers, and authorized the Defense Department to draw on these technology centers in 1995 to support the development of critical joint military/law enforcement technologies. Three House committees (National Security, Judiciary, and Appropriations) have held five separate hearings on this issue since April, 1994. The most recent hearing was on May 17, 1995 before the Subcommittee on Crime and Criminal Justice of the House Judiciary Committee. For 1996, the Conference Report has again provided \$37.2 million to DOD for its non-lethal weapons program which incorporates this initiative. The provided continuation of \$5 million to OJP to support the NIJ technology centers established in 1995. Further, the Conference Report has provided an additional \$2.8 million for expansion of the NIJ technology commercialization (marketing) initiative, which began in 1995.

Interestingly, the first transfer of technologies under this program have both been from Justice to Defense:

- Bullet resistant vests for use by U.S. military personnel conducting operations in Somalia, and
- Sticky foam for use by the U.S. Marine Corps to support the withdrawal of UN forces from Somalia.

NIJ requests \$6.341 million to carry out the goals of the MOU. NIJ currently manages \$15 million of the \$17.5 million in DOD-funded projects undertaken under the MOU, another \$12 million is managed jointly with ARPA under the JPSG. However, NIJ has not yet been able to contribute research funds from its base. This request seeks to bring NIJ into full financial partnership with DOD on this effort. Specific areas of technology development are as follows.

Technology development area	5-year target	1997 request
Assess law enforcement technology needs, adapt DOD technologies, develop and evaluate prototypes	\$21 million	\$4.2 million
Development of standards for law enforcement technologies	\$10.7 million	\$2.141 million
Total	\$31.7 million	\$6.341 million

Each technology development area is discussed below.

1. Develop needs and requirements for law enforcement applications, make law enforcement unique adaptations to Defense technologies, and field prototype systems for evaluation. As these technologies are developed, the Justice/Defense agreement requires NIJ to identify those requirements which are unique to law enforcement and further requires NIJ to evaluate new technologies deployed in law enforcement agencies. Among the technologies to be developed are:

- Concealed weapons detection technologies. At the direction of the President of the United States, NIJ has initiated a major concealed weapons detection technology effort which is expected to produce functioning prototypes by 1997. These technologies, as well as at least one additional technology being developed by Defense are being jointly managed and funded with NIJ providing all the program management. Fielding and evaluating the most successful of these technologies is expected to begin in 1997 and continue through 2002 or beyond: (a) proof of principle prototype available by late 1996; (b) field demonstration/evaluation, 1997 through 1998; and (c) commercial products marketing, 1999 - 2000.
- New explosive detection technologies and taggants. NIJ will fund research to develop technologies to detect explosives before they have the opportunity to cause destruction of public or private property. These technologies will be developed in phases, with functioning prototypes available by 1998, with commercial versions available by 2000.
- Tracking probationers and prisoners. Field testing and evaluating systems that can provide full-time and near-real time tracking and recording of the movements of persons wearing tagging devices who have been released by the courts under conditions that restrict their movement in the community. NIJ expects to have a functioning prototype by 1998; field demonstrations and evaluations by late 1999 and marketing one-year later.

- Smart guns. Fabricating and field testing one or more types of authorized-user-only handguns that can protect officers from being shot by their own weapons and facilitating the transfer of the technology to the public market to reduce the incidence of misuse of firearms in the home. NIJ has already invested \$650,000 to define requirements and evaluate potential technologies and expects prototypes by January, 1997. Additional funds are needed to support field evaluation in 1998, and product marketing before 2000.
- Monitoring vital signs. Developing or modifying existing technologies that will provide vital signs monitoring, and location tracking where appropriate, for law enforcement and corrections officers, including probation and parole officers, arrestees, and jail and prison inmates. This effort is intended to provide a more affordable approach to the handling of low-risk offenders than imprisonment. Several technologies will be ready to be evaluated in 1997 and are expected to produce almost immediate commercial products.

These projects require \$21 million over the next five years, with deliveries expected throughout the period. Since many of these involve multiple applications of the technology, there are expected to be a number of currently unpredictable spin-offs during development. The 1997 request for these technologies is \$4.2 million.

2. Develop standards and test products developed under this program as well as products developed elsewhere. As this program develops technologies for law enforcement use, it will be essential that NIJ develop the standards necessary to ensure the safety of the new products for both law enforcement and the public. Ensuring the safety and suitability of defense technologies is a critical element of the entire Justice/Defense partnership and must be done right the first time.

Each year, NIJ tests more than 100 bullet resistant vests and all law enforcement, from local to Federal, rely on the results of these tests to make purchasing decisions. This program has been so successful that more than 1,800 police officer lives have been saved since the inception of the program. More impressively, no NIJ qualified vest has ever failed when struck by a bullet it was rated to stop. Additionally, NIJ invests about \$60,000 every year in conducting objective tests of new police car packages and police car packages. That testing saves huge sums of money for taxpayers because the nation's 17,000 law enforcement agencies don't have to invest in their own testing to support procurement decisions.

Despite the high demand for this service, for everything from police weapons to jail locking systems, NIJ is currently able to support the development of standards and conduct of testing for less than 5 percent of the equipment which law enforcement indicates it needs to have tested or standards established for.

At the same time, untested products are beginning to be used in a variety of ways by law enforcement, but no testing has been conducted by anyone to ensure the products are safe for the using officer and the public.

Pepper spray, for example, is widely used by police and has been involved in more than 30 incidents in which fatalities have occurred, but no comprehensive safety testing has been conducted nor do standards of any kind exist for the product. NIJ is already studying this issue, but at current funding levels it will take several years to complete even the most basic tests. NIJ resources currently support the testing of only 4 items of equipment: soft body armor, handcuffs, police cars, and police car tires. With increased resources, NIJ will increase the number of technologies it tests to include: incapacitants, police hand guns, covert surveillance equipment, geolocation and mapping systems, police impact weapons, stun devices, and communications equipment. This effort includes:

- **Safety standards.** Development of standards for the safety and performance of at least 15 percent of the critical law enforcement equipment identified by NIJ's law enforcement councils. NIJ expects to produce 2 to 6 standards per year, beginning in 1997;
- **Risk assessment.** Development of a comprehensive risk assessment methodology for technologies developed for, or employed by, law enforcement. NIJ expects 1 to 2 assessments for important technologies per year, beginning in 1997; and
- **Reducing the cost of communications.** Development of interoperability standards for law enforcement to reduce the costs of communications, automation and other equipment. The absence of these standards currently means that in several areas, such as radio equipment, a single company has a virtual monopoly which allows it to charge five to 10 times the prices charged for comparable equipment sold in other markets. NIJ expects to have preliminary standards for radios by 1998.

Support for this entire program will require \$10.7 million over five years, with the delivery of products such as standards for automated booking equipment and fingerprint transfer protocols, throughout the period. The 1997 request for these activities is \$1.141 million.

PERFORMANCE MEASUREMENT TABLE: PRESENTED BY DECISION UNIT

NAME OF DECISION UNIT: National Institute of Justice		PERFORMANCE INDICATOR INFORMATION		PERFORMANCE TARGETS AND ACTUAL RESULTS						
Type of Indicator	Performance Indicators	1993 Actual	1994 Actual	1995 Target	1995 Actual	1996 Target	1997 Target			
Input	1. Number of grant applications received. 2. Number of technologies transferred to/from DOD. *	469	704 NA	876 2	902 2	1080 2	1350 4			
Output/Activity	3. Number of requests for information (NCIRS). 4. Percentage of requests for info received via Internet. 5. New products published. 6. Number of practitioners/researchers participating in NIJ conferences, seminars, focus groups, planning sessions.	171,612 0% 59	203,856 1% 61	236,980 5% 111	236,980 5% 96	268,480 10% 122	312,900 15% 134			
Intermediate Outcome	7. Percentage of research grants completed in a given year which result in published findings. 8. Reduction in DNA testing cost. * 9. Time for a DNA test. 10. % of Requests for law enforcement standards honored.	2,150	2,800	2,900	2,910	3,000	3,100			
End Outcome	11. New law enforcement technologies under development. * 12. Law enforcement technology deliverables (standards, product performance evaluations, product guides). 13. Technologies developed w/private industry as lead funder.	NA (1) NA 8 weeks 5%	NA NA 8 weeks 5%	NA 0% 8 weeks 5%	NA 0% 8 weeks 5%	10% inc. 0% 3 days 5%	10% inc. 0% 3 days 15%			
Productivity	13. Grant processing time.	243 days	243 days	120 days	120 days	90 days	75 days			
A. Definitions of Terms or Explanations for Indicators: Clarify potentially confusing terms. Assume a low level of familiarity with your programs.										
(1) No statistics are kept at this time to document percentage of research grants which produce publications. Within six months, this statistic will be known.										
(C) Target numbers assume NIJ receives requested program funding increases.										
B. Factors Affecting FY 95 Program Performance. Describe reasons for any significant differences between target levels of performance and estimates of actual performance, whether positive or negative.										
C. Factors Affecting Selection of FY 96 and 97 Targets. Provide information on the selection of target levels of performance, where necessary.										

OFFICE OF JUSTICE PROGRAMS
 CRIMINAL JUSTICE STATISTICAL PROGRAMS
 PROGRAM PERFORMANCE INFORMATION
 GOVERNMENT PERFORMANCE AND RESULTS ACT REQUIREMENTS

MISSION: To assist policy and decision-makers at the Federal, State, and local levels of government by providing for the collection, analysis, publication, and dissemination of comprehensive and accurate statistical information concerning crime and the operation of this Nation's justice systems.

ORGANIZATIONAL GOALS:

1. Collect, analyze, publish, and disseminate statistical information on crime and the operation of justice systems to the President, Congress, the Department, State and local executives and officials, the media, and the public.
2. Maintain and develop an analytic program which will address the implications of national justice statistics for Administration and Departmental policy and legislative initiatives.
3. Recommend national and international standards for justice statistics and to ensure the interstate comparability, reliability, and validity of justice statistics.
4. Conduct, support, and implement recommendations to improve the quality of justice statistics, records, and information systems.
5. Encourage the development, maintenance, and utilization of State and local governmental organizations and facilities responsible for the collection and analysis of justice data and statistics.
6. Ensure compliance with requirements relating to confidentiality and security of data.
7. Assist users of BJS data in understanding statistics and methodologies, as well as interpreting published data.

OFFICE OF JUSTICE PROGRAMS
CRIMINAL JUSTICE STATISTICAL PROGRAMS
PROGRAM PERFORMANCE INFORMATION
(Dollars in thousands)

Criminal Justice Statistical Programs	Amount
1996 Availability	\$21,379
1997 Base	21,379
1997 Estimate	22,873
Increase/Decrease	1,500

BASE PROGRAM DESCRIPTION: The Bureau of Justice Statistics (BJS) is an independent and objective national center that provides basic information on crime and the operation of the justice system to the President, Congress, the Judiciary, State and local governments, the general public, and the media. Additionally, BJS supports the developing capacity of State and local governments to use data as a cornerstone of their criminal justice programs. BJS maintains more than two dozen major data collection series and publishes a wide variety of reports annually which receive nationwide distribution. Core statistical efforts include annual data on criminal victimization, populations under correctional supervision, federal criminal offenders, federal case processing, and criminal justice expenditures and employment. Periodic data series are undertaken to provide statistical information on felony convictions, state court processing, the composition and characteristics of correctional populations, prosecutorial practices and policies, and the administration of law enforcement agencies and correctional facilities.

The National Crime Victimization Survey (NCVS), the largest BJS series, is the Nation's primary source of information on crime victimization and the victims of crime, and the second largest survey conducted by the Federal Government. During a collection year, a nationally representative sample of more than 100,000 persons residing in about 50,000 households is interviewed by representatives of the Bureau of the Census in order to obtain data on the impact, frequency, and consequences of criminal victimization in the United States. The NCVS represents the only statistical program designed to collect information on crime directly from the victims of crime and has been replicated in 35 foreign countries and is now slated for international replication through the United Nations. The survey publication program includes: yearly trends in victimization; crime in the Nation's households; and special reports on topical issues such as teenage victims, female victims, the geographical distribution of crime, handgun crime victims, and the impact of particular crimes (i.e., rape, robbery, and burglary).

The BJS corrections statistic program provides systematic information on correctional populations and facilities gathered from Federal, State, and local governments, and covers the major sub-units of the corrections system -- probation, jails, prisons, and parole. The overall program consists of the following

components: (1) annual counts and characteristics of persons entering or exiting probation and parole; (2) annual and mid-year counts of incarcerated persons in State and Federal prisons and local jails; (3) annual statistics on persons admitted or released from State and Federal prisons and on persons released from parole supervision; (4) annual counts and characteristics of persons sentenced to death; (5) quinquennial surveys of national samples of prison and jail inmates and adult probationers; (6) censuses of State and local correctional facilities and parole and probation agencies; and (7) follow-ups of persons discharged from a correctional status in order to evaluate post-release outcome.

The Bureau's courts and sentencing statistical programs provide researchers and policy making officials with representative statistics on felony prosecution, criminal defense, and felony court caseload. A major part of the adjudication statistical series is the National Judicial Reporting Program (NJRP). This program provides national data on judicial sentencing practices for persons convicted of a felony in State trial courts, including the number and characteristics of convicted felons, the crimes for which they have been convicted, and the range of sentences they receive. BJS conducts the biennial surveys of prosecutors' offices in order to determine the practices and policies that guide prosecutorial decision-making and the types of services offered by such offices. Under the Civil Justice Survey of State Courts, BJS collects civil caseload data for a one-year period from a sample of counties representative of the nation's 75 largest counties, including case type, outcome, jury awards, type of parties, legal representation, and dates of filing and disposition.

State Court Processing Statistics (SCPS) (formerly, through 1994, National Pretrial Reporting Program (NRP)) provides data on the criminal justice processing of persons charged with felonies in 40 jurisdictions representative of the 75 largest counties. These counties account for about half the serious crime nationwide. The program prospectively tracks felony defendants from charging by the prosecutor until disposition of their cases or for a maximum of 12 months. Data are obtained on demographic characteristics, arrest offense, criminal justice status at time of arrest, prior arrests and convictions, bail and pretrial release, court appearance record, re-arrests while on pretrial release, type and outcome of adjudication, disposition, and type and length of sentence.

The BJS law enforcement statistical program provides nationally representative data on the more than 17,000 law enforcement agencies in the United States and collects data relating to the pretrial status of persons charged with felonies. Under the Law Enforcement Management and Administration Statistics (LEMAS) program, all State police departments and a stratified sample of local agencies are surveyed every 3 years. Data collected include: the number and characteristics of personnel; salary levels; education and training requirements; expenditures; number and types of vehicles; types of special units; and agency policies.

The BJS Federal Statistics program collects and analyzes data describing the prosecution, adjudication, sentencing, and correctional status of Federal offenders. The data, which are collected from the Executive Office for U.S. Attorneys, Administrative Office of the U.S. Courts, Bureau of Prisons, and Parole

Commission, are linked to a common database that permits the analysis of offenders as they progress through the system. A variety of reports are produced annually covering the number of suspects investigated, the number of cases and types of cases prosecuted in Federal district courts, and the number of persons convicted as well as the sentences they received. Special reports are also released covering topical areas of Federal criminal justice such as drug prosecution and sentencing, the effects of Federal sentencing guidelines on sentence length and time served, and Federal RICO enforcement.

BJS provides technical and financial support to State statistical and operating agencies responsible for a wide variety of statistical activities in their own State. The State Statistical Analysis Centers (SACs) analyze and disseminate statistical information, coordinate State criminal justice statistical activities among State, county, and city agencies, and provide improved State data for BJS analyses. They also assist the executive and legislative branches in each State to assess the likely consequences of new legislation on the operations and resources of the criminal justice system. Through Federal funding over the years, BJS has created SACs in every State, the District of Columbia, and three Territories; presently, there are 48 active SACs.

BJS supports the improvement and promotes the sharing of State criminal history records and information nationwide. The BJS Justice Information Policy Assistance Program supports surveys, studies, conferences, and technical assistance on issues relating to data quality and the improvement of criminal justice records.

The following reflects recent BJS accomplishments:

During 1995 - 1996, BJS issued 13 press releases and published 62 reports, detailed analytic volumes, data releases, and users' guides. Additionally, BJS staff prepared and presented over 25 speeches, presentations, and articles for professional and academic journals. Over one million statistical reports were disseminated by BJS during this period. Many BJS Bulletins and Special Reports are accompanied by press releases or put directly on the news wire and are given prominent coverage in the Nation's electronic and print media. BJS reports are also frequently discussed in the editorial columns of American newspapers.

National Victimization Statistics. In 1995, BJS published *Criminal Victimization, 1993*, which contained the first data from the redesigned National Crime Victimization Survey (NCVS). *Criminal Victimization, 1994*, soon to be released, indicates that violent crime comprised one fourth of the 42.4 million crimes occurring during the year. The most recent survey findings demonstrate that while some crimes exhibit short term changes that differ from previous longer term trends, many patterns discernable since 1992 continue general trends in crime rates that existed during previous years. For example, in 1994 violent crimes, which had previously shown a 7-year increase, was unchanged from the previous year, while property offense victimizations continued a 16-year decline.

In 1994, for every 1,000 persons age 12 or older, there occurred: 1 sexual assault, 2 rapes or attempted rapes, 3 assaults with serious injury and 4 robberies with property taken. The survey redesign incorporated many important changes to the questionnaire including: additional cues to help survey participants recall incidents; more direct questions on rape, sexual assault, and other sexual crimes; and new probes to measure victimizations by nonstrangers, including domestic violence. The results of the redesign show that survey changes have substantially increased the number of rapes and aggravated and simple assaults reported to interviewers. For the first time, other victimizations, such as nonrape sexual assault and unwanted or coerced sexual contact that involves threat or attempt to harm, are also being measured.

In 1995, BJS in collaboration with the Administration for Children and Families of the Department of Health and Human Services and the Consumer Product Safety Commission (CPSC), concluded a 27-month study using the CPSC's national sample of hospital emergency rooms to obtain information on intentional injuries, such as domestic violence, rape, and child abuse, that require emergency room treatment. This represents a major new area for data collection and is designed to supplement existing NCVS statistical information. Data to be released in 1996 indicate that about 1.4 million people were treated in hospital emergency rooms in 1994 for intentionally or possibly intentionally sustained injuries. Of these injuries, about 7 percent were inflicted by a spouse or ex-spouse and an additional 8 percent were inflicted by another relative.

Publications recently released reporting data on victimization include:

- *Violence Against Women: Estimates from the Redesign Survey* reports that women age 12 or older annually sustained almost 5 million violent victimizations in 1992 and 1993. About three-quarters of all lone-offenders against women and 45% of violence involving multiple-offenders was perpetrated by offenders whom the victim knew. In 79% of all violence against women by lone-offenders, the perpetrator was an intimate (husband, ex-husband, boyfriend or ex-boyfriend).
- *Young Black Male Victims -- BJS Crime Data Brief* reports the extent and characteristics of victimization for Black males ages 12 to 24, such as weapon use, injury, and offender characteristics, and summarizes data about the reporting of crimes to the police by this age group.
- *Violence between Intimates: Domestic Violence* presents selected findings examining murders, rapes, robberies, and assaults committed by spouses, ex-spouses, boyfriends, or girlfriends. It uses data from the NCVS, the BJS survey of murder cases disposed in large urban counties in 1988, and the FBI Supplemental Homicide Report from the Uniform Crime Reports program. Data on violent offenders were collected in the 1991 Survey of State Prison Inmates and the 1989 Survey of Jail Inmates. The findings show that females experienced more than 10 times as many incidents of violence committed by an intimate than did males--572,000 versus 49,000.

National Corrections Statistics. In 1996, BJS will conduct the Survey of State and Federal Prison Inmates, carried out every five years, to collect information on individual characteristics of prison inmates, current offenses and sentences, characteristics of victims, criminal histories, family background, gun possession and use, prior drug and alcohol use and treatment, educational programs and other services provided while in prison, as well as other personal characteristics. Data are collected through personal interviews with a nationally representative sample of 14,000 State prison inmates and 3500 Federal inmates in about 300 State prisons and 40 Federal prisons.

BJS has recently completed data collection for the first National Survey of Adult Probationers representative of 2.5 million adults with interviews and data collection in 166 probation departments. It includes both a review of administrative records, and personal interviews with probationers. The survey will meet urgent needs for guiding national policies providing for the first time a thorough understanding of the backgrounds of offenders receiving the least severe criminal sanction; estimates of probationers' level of drug and alcohol use; for violent offenders, a profile of victims; measurement of the amount of drug treatment available and used; examination of the effects of early application of probation on recidivism and on seriousness of crimes; and a description of how probation is applied with other sentence elements like incarceration, fines, and program participation. Preliminary findings are expected in the fall of 1996.

BJS is currently conducting the 1995 Survey of Local Jail Inmates which relies on personal interviews with a nationally representative sample of nearly 6,500 inmates. This set of interviews will be the first BJS survey administered with laptop computers which is expected to significantly increase efficiency. The local jail inmate population includes persons who belong to all parts of the criminal justice continuum - those awaiting trial, those sentenced to jail and serving their sentence, and those sentenced to prison and awaiting transfer. The survey will provide a current understanding of the criminal histories and patterns of alcohol and drug abuse of the offenders who are incarcerated.

BJS recently undertook two major studies of offenders confined in prisons. The first, a survey of state and Federal prisoners jointly sponsored with the National Center for Education Statistics, was conducted in order to ascertain the literacy skill levels of incarcerated adults. The study quantified the low level of proficiencies associated with literacy among prisoners. However, when educational attainment and sociodemographic characteristics are taken into account, prisoners perform as well or better than similar persons in the general population. The second study entailed companion surveys that compared the U.S. prison population with prisoners confined in England and Wales. For more than half the prisoners in each country, a prior record of adult custody was found. Prisoners in England and Wales were about as likely as American prisoners to be serving time for violence, but prisoners in the U.S. were about 3 times as likely to have been convicted of a drug offense.

Other recent findings on corrections are reported in:

- *Prisoners at Mid-Year 1995* (press release) reports record growth from June 30, 1994 to June 30, 1995: 89,448 inmates, the largest annual increase recorded. At the end of June there were 1,102,971 men and women in the Nation's prisons -- 1,003,505 in State prisons and 99,466 in Federal prisons.
 - *Capital Punishment*, 1994 presents characteristics of persons under sentence of death on December 31, 1994, and of persons executed in 1994. During 1994, thirteen States executed 31 prisoners with the length of time under sentence of death averaging 10 years and 2 months.
 - *Violent Offenders in State Prison: Sentences and Time Served, 1992-94*, using guidelines developed in the BJS National Corrections Reporting Program, 49 States, and the District of Columbia, provides data on new court commitments and first releases of violent offenders, including the number, the average sentence length, the projected minimum time served before release, and the time served in prison and jail for releases.
 - *Probation and Parole Violators in State Prison, 1991*, reports that 45% of State prisoners were persons who, at the time they committed their offense, were under conditional supervision in the community -- either on probation or on parole. In addition, probation and parole violators comprised 30% of all the offenders in State prison for a violent crime. Probation and parole violators comprised 56% of inmates incarcerated for property offenses, 41% for drug offenses, and 85% of those in prison for public-order offenses.
 - *Prison Sentences and Time Served for Violence*, using data collected from States by BJS, examines the issue of truth-in-sentencing, showing that violent offenders released from State prisons in 1992 served 48% of the sentence they had received -- an average of 43 months in confinement, both jail and prison, on an average sentence of 89 months.
 - *Correctional Populations in the United States, 1993* combines information from across the components of corrections reporting 4.9 million U.S. adults were under some form of correctional supervision in 1993: 456,000 in local jails, 2.8 million on probation, 671,000 on parole, and 909,000 in State and Federal prisons (2,716 of them under the sentence of death).
- National Court and Sentencing Statistics. BJS is currently collecting data from a national sample of felony trial courts in 300 counties under the National Judicial Reporting Program (NJRP) for reference year 1994. BJS has recently published *Felony Sentences in State Courts, 1992* which reports that almost 900,000 felons were convicted in State courts throughout the U.S. in 1992. One-third of these offenses were for drug offenses.
- Spouse Murder Defendants in Large Urban Counties*, published in October 1995, reports that approximately 1 in 3 spouse murder cases disposed in 1988 in the Nation's 75 largest urban counties were sampled. More than

half of the Nation's murders occurred in these 75 largest counties. Of the spouse murders sampled, 59% were husbands killing wives, and 41% were wives killing husbands. This report discusses how state prosecutors, judges, and juries handled these two types of murder cases and gives specific case histories, describing each case and its outcome in court.

BJS has recently released findings from the first-ever Civil Justice Survey of State Courts with the following reports:

- **Contract Cases in Large Counties:** Civil Justice Survey of State Courts, 1992 presents 1992 data on disposition of 366,000 contract cases involving 1.3 million litigants in state general jurisdiction courts in the Nation's 75 largest counties. The most frequent type of contract dispute involved the plaintiff as a seller seeking payment owed by a buyer or borrower. About half the contract cases were resolved through an agreed settlement. Less than 3% of the cases were disposed by a jury or bench trial. Businesses made up two-thirds of the plaintiffs in contract cases; individuals, about a quarter. Contract case defendants were most often businesses, followed by individuals. Almost two-thirds of the contract cases were disposed within 1 year of filing.
- **Tort Cases in Large Counties:** reports that three out of four tort cases filed in the Nation's 75 most populous counties never reached the courtroom because they were settled out of court. Only 3% went to trial, with the plaintiff winning about half the time. The study of an estimated 378,000 state tort cases (about half of all tort suits completed from July 1, 1991, through June 30, 1992) found that more than 75% involved automobile accidents or property liability claims. Medical malpractice, product liability, and toxic substance cases accounted for 10%.
- **Civil Jury Cases and Verdicts in Large Counties:** reports that plaintiffs won 52% of the cases and juries awarded these plaintiffs \$2.7 billion in damages, of which 10% were punitive damages. The average time from the filing of the complaint to the jury verdict was 2.5 years.

BJS is currently conducting data collection for the biennial National Prosecutor Survey with published findings expected in the summer of 1996. The survey will obtain not only basic information on the staffing and operations of the approximately 2300 prosecutors' offices throughout the Nation, but will collect data on current topics of interest such as the use of innovative prosecution techniques, intermediate sanctions, plea bargaining, and work-related assaults and threats.

State Court Processing Statistics (SCPS) (formerly, through 1994, National Pretrial Reporting Program (NRP)), BJS prospectively tracks felony offenders from charging by the prosecutor until disposition of their cases or for a maximum of 12 months. Data are currently being collected for those charged with a felony during the month of May 1994 -- records of all subsequent decisions by the criminal justice system regarding these defendants are now being obtained. BJS expects to publish findings from the 1994 data

collection in the summer of 1986. *Felony Defendants in Large Urban Counties, 1992*: NPRP, released in July 1995, provides detailed data on the results of the 1992 data collection and supplements the report, *Pretrial Release of Felony Defendants, 1992*. Data presented include: characteristics of felony defendants in large urban counties; criminal history; pretrial release by type of release, bail amount, and most serious arrest charge; time from arrest to adjudication; adjudication outcome; and sentences received.

BJS has also published selected findings drawn from various BJS surveys containing information related to the indigent defense for criminal defendants. Twenty-eight percent of State court prosecutors reported in 1992 that their jurisdiction used public defender programs exclusively to provide indigent counsel. In 1990, State and local governments spent approximately \$1.3 billion on public defender services. In 1979, this figure was about \$300 million. In constant 1990 dollars, State and local expenditures doubled for public defense from 1979 to 1990. About three-fourths of the inmates in State prisons and about half of those in Federal prisons in 1991 received publicly-provided legal counsel for the offense for which they were serving time.

National Law Enforcement Statistics. The Law Enforcement Management and Administrative Statistics (LEMAS) program is currently analyzing and publishing findings from the 1993 LEMAS survey which is instrumental in tracking developments in the law enforcement field, such as the transition from revolvers to semiautomatic sidearms, and the progression from basic to expanded 911 systems; accounting for new technology, such as mobile digital computers and Automated Fingerprint Identification Systems (AFIS); and providing data on the number and characteristics of sworn and civilian law enforcement employees and the operating costs of law enforcement agencies nationwide. In September 1995, BJS published the report, *Law Enforcement Management and Administrative Statistics, 1993: Data for Individual State and Local Agencies with 100 or More Officers*.

For the first time, BJS conducted a census of Federal agencies to obtain data on Federal law enforcement officers with arrest and firearms authority. Data are available on the number of officers working in the areas of criminal investigation and enforcement, police patrol and response, security and protection, court operations, and corrections, by agency and State.

BJS is also completing the first-ever data collection of the Campus Law Enforcement Agency Survey which collects data from approximately 1,100 universities and colleges including all four-year universities and colleges with 2,500 or more students. Information is obtained on characteristics of campus served, agency operations, personnel characteristics, expenditures and salaries, equipment, computers and information systems, and policies and programs.

Federal Justice Statistics. The Federal Justice Statistics program provides annual data on workload, activities, and outcomes associated with Federal criminal processing of cases. The series covers all steps in the process, beginning with the number of suspects investigated, the prosecution, adjudication, and sentencing of defendants, and concluding with detailed information on the types and durations of sanctions

received and served. BJS recently published *Challenging the Conditions of Prisons and Jails: A Report on Section 1983 Litigation* presenting systematic data on litigation under Section 1983 of the U.S. Code, which the U.S. Supreme Court has interpreted to permit prisoners to sue correctional officials in Federal court when the conditions of confinement fail to meet constitutional standards. Section 1983 litigation represents 1 in 10 of the civil cases filed in U.S. district courts. This profile of such lawsuits examining more than 2,700 cases disposed of in 1992 in 9 States (Alabama, California, Florida, Indiana, Louisiana, Missouri, New York, Pennsylvania, and Texas) shows that 95% of cases result in dismissals, 4% result in stipulated dismissals or settlements, and 2% result in trial verdicts (of these, less than 1/2 of it result in a favorable verdict for the prisoner).

Firearms and Crime Statistics. The first in a series of reports on firearms and crime, *Guns Used in Crime: Firearms, Crime, and Criminal Justice*, represents a national collection of data about the guns used by criminals and provides information from several sources, including the FBI National Crime Information Center's stolen gun file, the Bureau of Alcohol, Tobacco, and Firearms National Tracing Center, the BJS National Crime Victimization Survey, the FBI Uniform Crime Reports, the BJS Survey of Inmates in State Correctional Facilities, other inmate surveys, and special studies of homicides involving guns. The report covers how often guns are used in crime, what categories of firearms are most often used, and what type of guns is preferred by criminals. The second report in this series, *Weapons Offenses and Offenders: Firearms, Crime, and Criminal Justice*, published in November 1995, presents data on how the criminal and juvenile justice systems deal with weapons offenses (violations of statutes or regulations that control deadly weapons) and offenders from arrest through incarceration. The report uses data from many sources, including the FBI Uniform Crime Reports, the National Center for Juvenile Justice Juvenile Court Statistics, the BJS Pretrial Reporting Program, the BJS National Judicial Reporting Program, the BJS Survey of Inmates of State Correctional Facilities, and the BJS Federal Case Processing data. The data presented cover Federal, State, and local responses to weapons offenses.

In addition, BJS recently released the crime data brief, *Federal Firearms-Related Offenses*, describing offenders whose sentences reflect the involvement of weapons in their offenses. The report describes both persons convicted of specific weapons offenses and violent offenders who receive longer sentences based on the presence of weapons. From 1982 to 1992, the number of Federal defendants sentenced to prison with a weapon offense as their most serious crime increased 175% from 1,000 to 2,755. Considering all Federal sentences, firearms were involved in the crimes of 6,987 offenders, a sixth of those sentenced under guidelines in the 12 months ending September 30, 1993.

Access to Statistical Data. BJS is currently making substantial changes to the way it provides access to its statistical data reports and files. In February 1996, BJS opened its home page on the internet which includes descriptions of BJS statistical series and intergovernmental assistance programs; 122 data reports and press releases; and links to access all BJS datasets housed at the National Criminal Justice Archive at

the University of Michigan. During the first few weeks in operation, the BJS Internet site was accessed by approximately 500 users per day.

In 1995, a review of current procedures to access public use data files was conducted by a task force commissioned by BJS and is described in the publication *Future Directions for the National Archive of Criminal Justice Data: Report of the Task Force*. File transfer protocol (ftp) over the Internet was recommended by the task force and is now available for accessing BJS files archived at the National Archive of Criminal Justice Data (NACJD). Other recommended alternative mediums of dissemination are also available, such as CD-ROM, diskette, or various magnetic tape media. Users can now access all files created by BJS or archived under BJS funding by accessing World Wide Web sites that have been constructed at BJS and at the University of Michigan. In addition to data files, on-line documentation and control statements for major statistical software packages will be accessible for current and recently issued data files. Future plans are to provide data information for BJS public use files and to provide explore-and-extract software that would enable users to tabulate or download subsets of files.

In addition to providing direct electronic access to files and documentation, BJS provides hypertext links to on-line versions of publications that have relied on data available from NACJD. In this way, users of NACJD data will be able to examine how BJS utilized these data for its own official estimates and analyses. Working in the other direction, users of BJS publications can access electronic spreadsheets of data tabulations that appear in the publications, and from those spreadsheets users will be linked to the documentation for data utilized in a report. In this way the technical information on published analyses will be extended beyond the printed methodological appendices routinely included in BJS documents.

Criminal Records Data Quality Program. For the last twenty years, major efforts have been undertaken by BJS in support of the improvement of the quality of criminal history records. The Justice Information Policy Assistance program supports surveys, studies, conferences, and technical assistance on issues relating to data quality and the improvement of criminal justice records. BJS recently conducted the Third Survey of Criminal History Record Information Systems, which obtained data as of year-end 1991 on the number of records maintained by each State, the percentage of automated records in the system and in the master name index, levels of fingerprint-supported data, the number of dispositions received, the percentage of records with disposition data included, State membership in the FBI's Interstate Identification Index, and "rap" procedures followed in connection with pre-sale firearm checks. BJS is sponsoring the task force on "rap" report on recommendations and strategies for increasing the exchange and utility of criminal history record information. BJS recently released the report, *Compendium of State Privacy and Security Legislation: 1994 Overview*, which presents an overview of State legislation governing the privacy, security, maintenance, and dissemination of criminal history records.

PROGRAM CHANGES:

Census Cost-of-Living (COLA)	Amount
	\$1,500

This initiative seeks a base increase of \$1.5 million to compensate for cost-of-living (COLA) and locality adjustments payable to the Census Bureau for BJS data collection projects and programs. This request represents the amount necessary to cover the 1997 pay raise and locality adjustments, and annualization of the 1996 pay raise. Each year since 1991, the Congress has failed to provide BJS with any of the base adjustments for pay and other cost of living increases that have been included in the President's budget request. In fact, since 1991, BJS's total funding level has actually declined by \$716,000, from \$22,095,000 in 1991 to \$21,379,000 in 1995. The reduction to BJS's Appropriation, combined with the loss of requested inflationary adjustments, has reduced BJS' base funding level by approximately \$3,400,000 or 13 percent of its base as adjusted for inflation.

Over this period, however, the Bureau of the Census, which receives about two-thirds of BJS funds, has been required to pay the annual Federal cost-of-living adjustments for salaries for Federal employees and all mandated locality adjustments. BJS has paid for these increased costs by reducing the costs associated with the National Crime Victimization Survey and by eliminating Census tasks related to surveying prosecutors offices nationwide and obtaining counts of the numbers of persons on probation and parole nationwide. Additional statistical activities will be reduced in 1997 if reimbursement is not obtained for these increasing data collection costs. During this period of unprecedented growth in crime programs, such continued reductions in data collection will significantly slow comprehensive evaluation of those programs.

BJS performs all national data collection and analysis of crime and justice topics with the single exception of the annual compilation of law enforcement (UCE) data by the Federal Bureau of Investigation. BJS has experienced the smallest increases in budget between 1988 and 1995 of any statistical agency in the Federal government and remains one of the smallest statistical activities of the Federal government. Between 1988 and 1995, a period when the BJS budget increased 10.3%, the National Center for Education Statistics experienced a 285% increase, the Bureau of Economic Analysis increased 76%, the National Center for Health Statistics grew by 68%, and the Bureau of Labor Statistics increased its budget by 62%. The Census Bureau which receives about 2 out of 3 BJS dollars, experienced budget growth 4 times that of the BJS percentage increase. In short, BJS ranks last in both budget and staffing among the ten major Federal statistical agencies.

The impact of flat-funding is clearly evident when considering that over 65 percent of BJS' budget is provided to the U.S. Bureau of the Census to conduct data collection activities. BJS has continued to provide annual cost-of-living adjustments to the Census Bureau necessary for the reimbursement of personnel and other related resources.

Available program funds have been used almost exclusively for the maintenance of statistical series, resulting in the lack of formal evaluations of BJS programs and operations. For example, sufficient experimentation and methodological research has not been conducted relating to changes in levels of victimization which may have been impacted by the implementation of the National Crime Victimization Survey redesign and the use of Computer-Assisted Telephone Interviewing and Computer-Assisted Personal Interviewing, new techniques being implemented to control cost increases associated with the survey.

As BJS collects data from many State and local jurisdictions on a voluntary basis, the bleak fiscal situations of these governments have significantly impacted the costs to conduct data collection. BJS has found that most agencies do not have adequate staff or resources to sufficiently collect the needed data, resulting in increased follow-up activities by BJS and the Census Bureau to secure the data. Substantial cost increases have been associated with the decreased responsiveness of the State and local agencies.

A primary objective and legislative mandate of BJS is to support State and local governments in the accurate and timely collection, analysis, and reporting of State criminal justice data. The funding provided to the State Statistical Analysis Centers (SAC) has remained at the same level for several years, despite the increase in costs to the States associated with SAC operations, personnel, and related benefits. As a result, Federal funding is not sufficient to accommodate new and expanded data requests from BJS to the States, perhaps contributing to the declines observed in response rates and the need for more extensive follow-up.

During 1995 and 1996, BJS has provided and disseminated a wide variety of analytic and informational reports and publications. Likewise, information requests by policy makers and the public are at an all-time high. In view of increased costs, demands, and information needs being placed on BJS, an increase to the base budget would have a significant impact on the statistical information directly used to develop the nation's domestic crime and justice policies and practices.

PERFORMANCE MEASUREMENT TABLE: PRESENTED BY DECISION UNIT

NAME OF DECISION UNIT: Criminal Justice Statistical Programs		PERFORMANCE TARGETS AND ACTUAL RESULTS									
PERFORMANCE INDICATOR INFORMATION											
Type of Indicator	Performance Indicators	1993 Actual	1994 Actual	1995 Target	1995 Actual	1996 Target	1996 Actual	1997 Target	1997 Actual	1998 Target	1998 Actual
Input	1. Major annual data collections	8	9	9	9	9	9	9	9	9	9
	2. Major periodic data collections	5	4	2	2	5	5	2	2	2	2
	3. Special data collections	0	0	1	1	0	0	0	0	0	0
Output/Activity	4. Statistical reports prepared by BJS staff (in-house analyses, report writing, and publication developments)	27	27	33	35	35	35	35	35	35	35
	Large reports (100+ pages)	5	1	2	3	2	2	2	2	2	2
	Mini reports (20-100 pages)	6	4	4	4	5	5	5	5	5	5
	Bulletins and Special Reports (up to 20 pages)	12	11	13	14	14	14	14	14	14	14
	Data Briefs/Selected Findings (up to 10 pages)	N/A	9	12	12	12	12	12	12	12	12
	All Others	4	2	2	2	2	2	2	2	2	2
	5. Statistical reports prepared by BJS-sponsored organizations and published by BJS	3	13	7	10	5	5	5	5	5	5
	6. Media releases, including those reports put on newswire	14	15	20	19	25	25	25	25	25	25
	7. Pages of publications distributed through fax-on-demand and fax broadcasting methods	N/A	N/A	8,698	15,715	16,000	16,000	16,300	16,300	16,300	16,300
	8. Professional meetings and conference exhibits demonstrating BJS reports and products	46	131	95	158	90	90	90	90	90	90

Intermediate Outcome	977,500	710,000	710,000	710,000
9. Statistical reports requested and disseminated by the BIS Clearinghouse and Drug Clearinghouse by mail	131,614	778,817	710,000	710,000
10. Telephone requests for data and reports filled by BIS Clearinghouse and Drug Clearinghouse	20,521	25,195	22,000	22,000
11. Customer requests to be placed on BIS mailing list for publication distribution	32,414	36,651	36,000	36,000
12. Cells for assistance to BIS-sponsored computerized bulletin boards	13,043	20,923	23,656	25,000
13. Electronic datasets made available through the criminal justice data archive	805	886	880	910
14. Datasets and documentation requested and disseminated by the criminal justice data archive: Studies and code books disseminated Datasets distributed on CD Rom Datasets distributed on customized diskettes	N/A N/A N/A	2,361 11,160 503	3,058 11,000 600	3,669 11,000 600
15. Information products disseminated from the criminal justice data archive	N/A	33,164	57,300	57,500
16. Support for State statistical activities (number of cooperative agreements)	46	41	54	56

A. Definitions of Terms or Explanations for Indicators: Fax-on-demand refers to an automated fax delivery system in which customers call a toll free number and request documents through a touch-tone menu. Fax broadcasting refers to mass faxing to several hundred destinations at a single time. Please note that the figures describing results of the datasets disseminated by the data archive do not include those datasets acquired remotely through the University of Michigan terminal system; no records are maintained on this usage.

B. Factors Affecting FY 95 Program Performance: The reduction in statistical reports disseminated by mail is attributable to the decrease of bulletins of reports and an increase in use of electronic dissemination mechanisms. BIS reports are available through various Bulletin Board Systems and Internet. BIS distributes many of its publications through mass faxing, as well as fax-on-demand systems. The number of information products disseminated from the criminal justice archive was lower than anticipated because one of the biannual newsletters was not published and disseminated as planned.

C. Factors Affecting Selection of FY 96 and 97 Targets: BIS anticipates a reduction in the number of statistical reports disseminated by mail and the number of telephone requests for data due to the increased use of electronic dissemination methods. BIS reports are available through the Internet and various Bulletin Board Systems and are distributed through mass faxing, as well as fax-on-demand systems.

**OFFICE OF JUSTICE PROGRAMS
MISSING CHILDREN
PROGRAM PERFORMANCE INFORMATION
GOVERNMENT PERFORMANCE AND RESULTS ACT REQUIREMENTS**

MISSION: To reduce the incidence of crimes against children, particularly kidnapping and sexual exploitation, and to improve the criminal justice, social services and treatment systems that are responsible for dealing with these crimes when they occur.

ORGANIZATIONAL GOALS:

1. Ensure that there is effective coordination among all Federally funded programs related to missing children.
2. Establish and maintain a national resource center and clearinghouse to:
 - a. provide to State and local governments, public and private non-profit agencies, and individuals information regarding free or low cost legal, restaurant, lodging, and transportation services available to benefit missing children and their families; and information on Federal programs available to assist missing children and their families;
 - b. coordinate public and private programs that locate and recover missing children;
 - c. nationally disseminate information on innovative missing children's programs, services, and legislation; and;
 - d. provide technical assistance and training to law enforcement agencies, State and local government, private non-profit agencies, and individuals in the prevention, investigation, prosecution and treatment of the missing or exploited child case and in locating and recovering missing children.
3. Periodically conduct national incidence studies to determine the actual number of children reported missing each year, the number of children who are victims of stranger abductions, the number of children who are victims of parental kidnappings, and the number of missing children who are recovered each year.
4. Provide to State and local governments, public and private non-profit agencies, and individuals information to facilitate the lawful use of school records and birth certificates to identify and locate missing children.

5. Prepare an annual report to the President, Speaker of the House, and President pro tempore of the Senate that includes information contained in Section 404(a)(5) of the Juvenile Justice and Delinquency Prevention Act, as amended.
6. Provide a program to establish and maintain a 24-hour national toll-free telephone line where individuals may report information regarding the location of missing children and request information on reuniting such children with their families.

OFFICE OF JUSTICE PROGRAMS
MISSING CHILDREN
PROGRAM PERFORMANCE INFORMATION
(Dollars in thousands)

Missing Children	Amount
1996 Availability	\$ 5,971
1997 Base	5,971
1997 Estimate	5,971
Increase/Decrease	...

BASE PROGRAM DESCRIPTION: The public and the criminal justice community continue to be concerned about runaways and other missing and exploited children. During 1990, the National Incidence Studies of Missing, Abducted, Runaway and Thrownaway Children (NISMAART) was conducted, in which it was determined that the missing children problem is a set of five very different, and distinct problems. This study provided the first national estimates of the number of children in each of these categories for a given year. Results indicated that in 1988, there were an estimated 345,100 children who met the study definitions for family abductions. While an estimated 3,200 to 4,400 children were abducted by non-family members, of which 200-300 were defined as stereotypical (stranger) kidnappings, there were an estimated 114,000 attempted stranger abductions. An estimated 450,700 children ran away from their homes or from juvenile facilities; an estimated 127,100 were thrown out of their homes or abandoned by their parents; and finally, an estimated 438,200 children were lost, injured or otherwise missing for a specified period of time, depending on their age and disabilities. It was discovered that many of the children in the first four categories were not literally missing, caretakers did know where they were, but the problem was in recovering them. In 1994 a program solicitation was issued for NISMAART II which will be a new incidence study mandated by Title IV to look at other categories of missing children and update the previous study.

The Missing Children Program funds are used to enhance the efforts of State and local communities in their comprehensive response to missing and exploited children issues through such activities as direct assistance in planning and program development at the local level, and developing and disseminating policies, procedures and programmatic information related to search teams, investigations, crisis intervention activities, as well as reunification of youth with their family, and responding to issues related to victimization of the families and youth involved in the missing and exploitation problem.

Missing Children funds are also used to support research and demonstration programs that assess the psychological impact of abduction on children and families, the legal obstacles to the recovery and return of parentally abducted children, problems with reunification of missing children, identification of early risk factors and prevention of family abductions, examining the National Incidence-Based Reporting System as

a potential source of data on child abductions, increasing understanding of child sexual exploitation, and effective screening of child care and youth service workers. Funds also support training and technical assistance for law enforcement, including State missing children clearinghouses, and prosecutors in missing child cases.

The Juvenile Justice and Delinquency Prevention Act (JJDP) requires the Office of Juvenile Justice and Delinquency Prevention to publish in the Federal Register for public comment annual research, demonstration and service program priorities for making grants and contracts pursuant to section 405 and the criteria based on merit for making such grants and contracts. The 1995 program priorities were published on October 12, 1994, for public comments and published in the Federal Register in final on January 5, 1995. OJJDP developed a long-range plan and published it in the Federal Register on October 12, 1994, for public comments. The Office will be going forward with that long-range plan for establishing future years' program priorities.

The 1997 request will maintain the Missing Children program at the 1997 base funding level.

<p>B. Factors Affecting FY 95 Program Performance. Describe reasons for any significant differences between target levels of performance and estimates of actual performance, whether positive or negative.</p>
<p>C. Factors Affecting Selection of FY 96 and 97 Targets. Provide information on the selection of target levels of performance, where necessary.</p>

* Designates an indicator covering a requested 1997 program change. A performance indicator and target must be set for the results that will be achieved should resources be received.

OFFICE OF JUSTICE PROGRAMS
REGIONAL INFORMATION SHARING SYSTEM
PROGRAM PERFORMANCE INFORMATION
GOVERNMENT PERFORMANCE AND RESULTS ACT REQUIREMENTS

MISSION: To enhance the ability of State and local criminal justice agencies to identify, target, and remove criminal conspiracies and activities spanning jurisdictional boundaries.

ORGANIZATIONAL GOALS:

1. Encourage and facilitate the rapid exchange and sharing of information pertaining to known or suspected criminals or criminal activity among Federal, State, and local law enforcement agencies.
2. Enhance coordination and communication among law enforcement agencies in addressing multi-jurisdictional crime.
3. Provide technical and financial resources to augment existing multi-jurisdictional enforcement resources (including loaning specialized equipment, training, and investigative expenses).

OFFICE OF JUSTICE PROGRAMS
REGIONAL INFORMATION SHARING SYSTEMS
PROGRAM PERFORMANCE INFORMATION
(Dollars in thousands)

Regional Information Sharing System	Amount
1996 Availability	\$14,500
1997 Base	14,500
1997 Estimate	14,500
Increase/Decrease	...

Base Program Description: The Regional Information Sharing System (RISS) Federal Program provides for regionally based information sharing centers throughout the United States to service State and local criminal justice agencies. The program maintains the operations of the six existing regional information sharing centers: the Middle Atlantic-Great Lakes Organized Crime Law Enforcement Network; the Mid-States Organized Crime Information Center; the New England State Police Information Network; the Regional Organized Crime Information Center; the Western States Information Network; and the Rocky Mountain Information Network. A description of the resources available through RISS is provided below. The first three are available from all sites. The remaining resources are available from some of the RISS sites.

Information Sharing. Every project maintains and operates an automated information sharing component that responds to the needs of participating enforcement agencies in addressing multi-jurisdictional offenses and conspiracies. This component is capable of providing controlled input, dissemination, rapid retrieval, and systematic updating of information.

Analysis. Every project operates an analytical component to assist the project and participating agencies in the compilation, interpretation, and presentation of data provided to the project. This component responds to participating agency requests for analysis of investigative data.

Telecommunications. Projects maintain telecommunication systems designed to directly support the operation of the Information Sharing Component and Analytical Component and to support project-sponsored investigations and activities.

Investigative Support. Some projects operate an investigative support component by providing financial assistance to participating agencies so they can conduct multi-jurisdictional investigations.

Specialized Equipment. Most projects maintain a pool of specialized investigative equipment for loan to participating agencies.

Technical Assistance. Some projects maintain a component to provide technical assistance to member agencies. Project personnel and others in participating agencies offer consultation, advice, and information to member agencies concerning use of specialized equipment, investigative procedures, accounting of project funds, and information analysis.

Training. Most projects provide training to upgrade investigative skills of participating agency personnel. Such training assistance may consist of financial support to send personnel to training courses, seminars, and conferences, or more commonly the design and delivery of specialized training courses by project staff.

Electronic Connectivity. The RISS program is currently in the final stages of completing electronic connectivity among six projects. This initiative entitled "RISSNET" is scheduled for completion in 1996 and will enable the RISS projects to access each project database electronically. This will provide a more timely and effective response to member agencies in the sharing and dissemination of information.

RISS and the FBI have entered into a cooperative agreement on domestic terrorism, specifically analytical products, training and information sharing. With electronic connectivity of the RISS projects (RISSNET), the FBI's National Security Division will have a node on the RISSNET network to better facilitate the sharing of information with State and local law enforcement in the area of domestic terrorism.

Prison Gangs. The RISS projects are currently working on a prison gang initiative with the National Major Gang Task Force (NMGTTF). This prison gang intelligence project targets the sharing and dissemination of gang intelligence between the law enforcement and corrections community and encourages ongoing communication between the two fields. Through this effort, each project will have a prison gang analytical staff person dedicated exclusively to this effort. This is a separately funded discretionary grant program being implemented through the RIBS projects.

PROGRAM CHANGE: There is no change in the level of funding requested for 1997, therefore the RISS Program will be maintained at its 1996 funding level of \$14.5 million.

PERFORMANCE MEASUREMENT 2: PRESENTED BY DECISION UNIT

NAME OF DECISION UNIT: Regional Information Sharing System									
PERFORMANCE INDICATOR INFORMATION			PERFORMANCE TARGETS AND ACTUAL RESULTS						
Type of Indicator	Performance Indicators	1993 Actual	1994 Actual	1995 Target	Actual	1996 Target	1997 Target		
Input									
Output/Activity									
Intermediate Outcome									
	1. Number of applications received (Program and T&A)	7	6	6	6	6	6		
	2. Number of applications reviewed	6	6	6	6	6	6		
	3. Number of records made	6	6	6	6	6	6		
	4. Number of monitoring site visits (24 months)	12	12	12	12	12	12		
	5. Number of delivery-based meetings conducted (6) (1) (yearwide)	6	6	6	6	6	6		
	6. Number of R2S2 members	4,055	4,344	4,900	4,371	4,650	4,800		
	7. Total subjects in database	385,892	487,745	596,000	583,293	700,000	820,000		
	8. Number of inquiries	196,346	310,415	215,000	259,611	300,000	325,000		
	9. Number of hits in proprietary files	119,872	111,426	130,000	137,184	147,000	157,000		
	10. Number of analytical services requests	15,717	17,727	20,000	18,721	20,000	20,000		
	11. Number of analytical products delivered	13,923	13,445	13,500	15,523	16,500	17,000		
End Outcome									
	12. Number of arrests made	10,306	8,703	9,300	7,279	10,000	11,000		
	13. Estimated value of narcotics seizures	477,912,626	43,808,792	50,000,000	54,755,856	60,000,000	70,000,000		
	14. Estimated value of property seizures	46,707,029	17,731,397	20,000,000	31,811,706	35,000,000	40,000,000		
	15. Estimated value of Civil RICO seizures*	287,286	26,000	100,000	890,743	600,000	470,000		
Productivity/Efficiency									
	16. Average staff hours per grant award	80	72	65	63	40*	40		
	17. Average number of grants per program manager	20	20	20	20	22*	23		
	18. Average number of staff hours per grant devoted to monitoring	400	400	440	440	440*	480		
A. Definitions of Terms or Explanations for Indicators:									
* Hours hours devoted to monitoring.									
** BICO seizures may vary from year to year because of its cyclical nature and lack of manpower in most agencies. BICO seizures are not pursued as heavily as narcotics and property seizures.									
B. Factors Affecting FY 95 Program Performance:									
NA									
C. Factors Affecting Selection of FY 96 and 97 Targets:									
NA									

OFFICE OF JUSTICE PROGRAMS
WHITE COLLAR CRIME INFORMATION CENTER
PROGRAM PERFORMANCE INFORMATION
1. GOVERNMENT PERFORMANCE AND RESULTS ACT REQUIREMENTS

MISSION: To support member agency investigations and prevention efforts related to economic crimes.

ORGANIZATIONAL GOALS:

1. Support and coordinate member agency multi-state investigations of white collar crimes.
2. Develop a national support system for the prevention, investigation, and prosecution of economic crimes.
3. Provide educational and training programs to criminal justice and regulatory agencies responsible for investigating economic crimes.
4. Support investigations of health care fraud and fraud against the elderly.
5. Provide no-cost services to member agencies including subjects such as information sharing, case funding, and training and research.

OFFICE OF JUSTICE PROGRAMS
WHITE COLLAR CRIME INFORMATION CENTER
PROGRAM PERFORMANCE INFORMATION
 (Dollars in thousands)

White Collar Crime Information Center	Amount
1996 Availability	\$3,850
1997 Base	3,850
1997 Estimate	3,850
Increase/Decrease	...

Base Program Description: The National White Collar Crime Center (NWCCC) supports member agency multi-state investigations of white collar crimes. Investment, telemarketing, and securities fraud; boiler room operations; and advanced fee loans represent a sampling of the Center's undertakings. The Center is developing a national support system for the prevention, investigation, and prosecution of economic crimes, and is pursuing an educational and training component targeting agencies, both criminal law enforcement and regulatory, which have the responsibility of investigating economic crime. The Center will also enhance efforts to address health care fraud and fraud against the elderly. A description of services provided by the NWCCC is listed below.

Training and Research. The NWCCC has opened its Training and Research Institute (TRI) in Morgantown, West Virginia. The TRI has established a partnership with West Virginia University, in Morgantown to address research and technology related issues impacting economic crime investigations and prosecutions. The University makes available the extended resources of their schools of business, law, sociology, and computer science.

Civil/Administrative Database. In addition to their Criminal Intelligence Database, the NWCCC plans to develop a Civil/Administrative database which will contain non-criminal information related to civil or administrative economic or white collar violations.

Fraud. As a consultant to the Federal Trade Commission (FTC), Bureau of Consumer Protection, the Center analyzes information on telemarketing frauds stored in the FTC's automated database.

PROGRAM CHANGES. There is no change in the level of funding requested for 1997, therefore the NWCCC Program will be maintained at its 1996 funding level of \$3.85 million.

OFFICE OF JUSTICE PROGRAMS
MANAGEMENT AND ADMINISTRATION
PROGRAM AND PERFORMANCE INFORMATION
GOVERNMENT PERFORMANCE AND RESULTS ACT REQUIREMENTS

MISSION: To administer OJP programs in the most effective and efficient manner possible.

ORGANIZATIONAL GOALS:

1. Provide executive direction, control and coordination over the wide array of OJP programs.
2. Implement and administer all OJP programs.
3. Provide the full range of support services to the program and administrative offices of OJP.

**OFFICE OF JUSTICE PROGRAMS
MANAGEMENT AND ADMINISTRATION
PROGRAM AND PERFORMANCE INFORMATION**
(Dollars in thousands)

Management and Administration - Direct	Perm. Pos.	FTE	Amount
1996 Availability	372	371	\$29,077
1997 Base	372	371	32,397
1997 Estimate	402	386	34,056
Increase/Decrease	30	15	1,659

The Office of Justice Programs (OJP) carries out policy coordination and general management responsibilities for the Bureau of Justice Assistance (BJA), the Bureau of Justice Statistics (BJS), the National Institute of Justice (NIJ), the Office of Juvenile Justice and Delinquency Prevention (OJJDP), and the Office for Victims of Crime (OVC). The functions and responsibilities of the five program bureaus and offices are described in the justifications for those programs and are not repeated here.

Streamlining Initiatives: In 1996 Congressional action reduced the amount available for management and administration of Office of Justice Programs' non-crime bill programs \$2.6 million below the 1995 level. Programs funds however, were increased. In order to simply keep up with increasing demands for Congressionally required studies and reports, increased financial reporting requirements and on going program operations and support, OJP has internally restructured to reduce layers of review, placed increased emphasis on computer technology to streamline internal processes and better coordinated efforts both internally and externally. These efforts have paid off in increased productivity but there is little more improvement to be garnered through such means. Continued under-funding of management and administration activities will ultimately result in decreased program effectiveness and risk for the government program in terms of inefficient on-site program and financial monitoring.

PROGRAM CHANGES:

Management and Administration	Pos.	FTE	Amount
	30	15	\$1,659

A total program increase of \$1,659,000, 10 positions, and 15 FTE is requested for 1997.

National Institute of Justice: An increase of \$1,659,000, 10 positions and 15 FTE are requested for the National Institute of Justice. Last year, Congress provided an additional \$1 million for NIJ science and technology programs but no new personnel were added with the additional funding. Since 1996 the NIJ science and technology budget has grown from \$6 million to \$12 million in 1996. The 1997 request represents an increase since 1996 of more than 600%, to a total of approximately \$25 million. At the same time, NIJ has been obligated to assume the responsibility for the management of half of the Defense/Justice Partnership, which was funded at \$37.5 million in 1995 alone, and for the management of the DNA Laboratory Improvement Act which is funded, in 1996, at more than \$8 million. Both of these initiatives are estimated to grow to a total portfolio of at least \$70 million by the end of 1997. New responsibilities for this past year include:

- Manage fully half of the effort under a major partnership with the Department of Defense;
- Manage one national and four regional technology centers, a border research center, a Technology Information Network, and three specialized offices;
- Coordinate technology efforts to guard against overlap and duplication, which were major topics in the House Appropriations Committee hearings on March 9, and the Judiciary hearings on May 17;
- Manage a Presidentially directed concealed weapons detection program; and
- Respond to technical inquiries by the Justice Department, State and local law enforcement, Congress, industry and the public.

The projects being undertaken by this office enjoy an extreme level of Congressional and media visibility. These are highly complex research and development projects which require extensive knowledge on the part of program managers, and they cover the gamut of technologies including chemistry, ballistics, bio-medical sciences, electronics, information technologies, and advanced materials. It is currently estimated that each program manager will review approximately 120 applications, this increase to 200 applications in 1997. Program managers also must visit the development sites (which are in national, Federal, university and commercial laboratories around the country) to monitor the progress of each project because it is rarely feasible to move a project before completion. The number of the projects will increase from 20 in 1996 to over 40 in 1997. At the same time, because these technologies will be used in law enforcement settings, safety, liability, constitutional and community acceptance issues are paramount, so the program managers must participate in safety, liability, legal and community acceptance reviews. This office is also the principle source of technical information for the more than 17,000 law enforcement agencies in the United States, so program managers are frequently called upon to provide instruction at the FBI National Academy and at major state law enforcement conferences and to answer technical questions. Each program manager is also responsible for helping to move developmental products to industry. Under severe personnel shortfalls, NIJ has been able to operate only because the Department intervened to provide personnel on a temporary basis. Those personnel will shortly have to be returned to their parent agencies. Because many of these agencies are cutting back their own staff, they will not be able to assign another detailee to NIJ. More

importantly, experience and 'corporate' memory are lost without permanent staff in these positions. NIJ thus requires an increase of 30 positions, which will include 26 program management personnel and 4 support personnel. Responsibilities of the requested personnel are presented below.

Expanded DNA Research Program. NIJ has requested an increase of \$5 million for their forensic science DNA program to produce in five years a rapid and inexpensive DNA testing technology that can be used at crime scenes. This represents a ten fold increase over the 1996 budget allocated for forensic sciences, and is expected to represent 25 - 50 separate research and development projects. To help achieve this goal the program requires additional staff to develop the plans and partnerships to carry out the development, to process the solicitations and applications, and to monitor and evaluate the developmental work. An increase of 3 positions has been requested to support this effort, 2 program managers and 1 support person. The program currently has only one manager.

Justice/Defense Partnership. NIJ currently manages half of the \$37.5 million in projects funded through the DOJ/DOJ partnership. DOJ expects to dedicate to its half of the management job a minimum of 20 of its own FTE's, and as many as 10 additional staff through a variety of contracting vehicles. NIJ has requested 24 program managers and 3 support personnel to cover its responsibilities under the Memorandum of Understanding discussed below.

1. **Joint Program Steering Group (JPSG).** The Justice/Defense partnership agreement requires Justice and Defense to each provide 3 full time program managers to staff the JPSG. These three program managers are responsible for creating the program plan which commits the Defense funds, identifying promising Defense technologies for transfer to law enforcement and managing selected programs funded by Defense, including the Operations Other than War/Law Enforcement Program of the Technological Reinvestment Project for which Congress appropriated \$100 million in 1995. Justice personnel currently fulfilling these positions are borrowed from other agencies but will have to be returned to their parent agencies at the end of 1996.

2. **Management of the Justice share of the Justice/Defense partnership.** Under provisions of the Memorandum of Understanding (MOU) between the Justice Department and the Defense Department, NIJ is responsible for managing fully half the Defense appropriation under this program, which is about \$19 million. Funds appropriated in 1995 are just now being committed and each funded project is expected to last at least two years. Defense indicates they expect this program to be funded at about \$40 million in subsequent years. In response to the MOU, Defense created an Operations Other than War/Law Enforcement (OOTW/LSE) program office which supports JPSG. Whether Justice commits funds or not, this effort is expected to be responsible by the end of 1997 for the management of a portfolio of approximately \$120 million worth of technology projects. Under the MOU, Justice is required to manage all the elements of any joint projects which are unique or specific to law enforcement and corrections. The projects initiated in 1995 are expected to be ready for adaptation and application to law enforcement beginning in 1997, and will more

than double NIJ's current management workload. NIJ will therefore require 11 program managers and 1 support person.

3. **Less-Than-Lethal Technologies Program.** NIJ currently has one manager responsible for the management of both this program and all other general technology programs. This manager is responsible for a portfolio of over 30 technology development projects, supported by approximately \$7.5 million. This management\ monitoring workload, which involves complex technologies (for example, three different gun detection technologies, personnel monitoring systems, and a variety of control, surveillance and imaging technologies), is already placing a severe burden on a single manager. The Justice/Defense Partnership also includes a significant number of these complex, limited effects (non-lethal) technology projects. Management and coordination of those projects will be consolidated with NIJ's Less-Than-Lethal Technology Program, which is the premier less-than-lethal technologies program in the United States. The Department of Defense already has used several pieces of less-than-lethal equipment developed under the NIJ program, for example, equipment employed in Somalia by the United States Marine Corps. To manage this program, at more than twice the current usual research and development load, will require 7 program managers and 1 support person.

4. **Standards and Testing Program.** NIJ currently has one manager for this program, which includes substantial work with dozens of individual law enforcement agencies around the United States and daily contact with testing laboratories and dozens of participating industries. Currently, NIJ is able to test only 5 percent of identified law enforcement priorities, and that involves only four products: soft body armor, handcuffs, police cars, and police car tires. This request will boost that capability to 15 percent of law enforcement priorities. The many technologies and devices developed under the Justice/Defense NIJ will have to be tested for safety and effectiveness, and will include police radars, incapacitants, police weapons, surveillance equipment, geolocation and mapping systems, police impact weapons, stun devices, and communications equipment. In addition, standards and guidelines will have to be developed. NIJ requires 3 program managers and 1 support person to support this program which includes the direction of a special NIJ office in the National Institute of Standards and Testing, six separate NIJ National Law Enforcement and Corrections Technology Centers across the United States, and test laboratories in Maryland and Illinois.

Violent Crime Reduction Programs. Violent Crime Reduction Programs' administrative funds will be reimbursed to the Justice Assistance account for support services. For presentation purposes VCRP FTE's are included and justified in the Justice Assistance account.

An increase of 80 positions and 40 FTE's are requested to support the Crime Act programs in 1997, 19 of which will be indirectly funded, reimbursable positions required by NIJ to perform evaluations of Community

Oriented Policing Services (OPS) programs. The other 61 positions/PTG's are required to fully implement, manage and evaluate all 1997 Crime Act authorities which OCP administers. The rapid growth of the Crime Act programs demands that OCP exercise rigorous oversight through site monitoring, strict fiscal accounting and extensive program and policy review and modification. An increase of 80 PTG's for management of these programs, which have grown from \$740 million in 1995 to \$1.96 billion in 1997, is minimal and, even with such an increase, efficient administration requires streamlining and reinventing our existing processes and increasing our investment in training and computer technology.

Office of Justice Programs
Justice Assistance
Financial Analysis - Program Changes
(Dollars in thousands)

	Research, Evaluation & Demonstration Programs	Criminal Justice Statistical Programs	Management and Administration*	Total
	Pos.	Pos.	Pos.	Pos.
	Amount	Amount	Amount	Amount
GRADES				
GS7/4	4	4	\$259	4
GS7/2	22	22	1,007	22
GS8/4	4	4	75	4
Total Positions & Annual Rate	30	30	1,341	30
Lapses (-)	(15)	(15)	(870)	(15)
Total Workyears and Personnel Compensation	15	15	870	15
Personnel Benefits	—	—	201	201
Travel & Transportation	—	—	59	59
GSA Rent	—	—	85	85
Other rent, communications & utilities	—	—	117	117
Printing and Reproduction	—	—	4	4
Other Services	11,341	1,500	283	13,104
Supplies and Materials	—	—	15	15
Equipment	—	—	245	245
Grants, Subsidies and Contributions	—	—	—	0
Total Program Workyears and changes requested, 1987	15	15	\$1,659	15
				\$14,600

* Excludes 80 positions and 80 workyears funded by reimbursement for the OJP, VCRP.

Office of Justice Programs
Justice Assistance

Status of Congressionally Requested
Studies, Reports, and Evaluations

1. Section 102(b) of the Omnibus Crime Control and Safe Streets Act of 1968, as amended, requires the Assistant Attorney General to submit an annual report to the President and Congress by March 31 of each year. The Fiscal Year 1995 Report is expected to be submitted in April 1996.
2. Section 810 of the Omnibus Crime Control and Safe Streets Act of 1968, as amended, requires the Assistant Attorney General, the Director of the Bureau of Justice Assistance, the Director of the Bureau of Justice Statistics, and the Director of the National Institute of Justice to submit to the President and the Speaker of the House of Representatives and the President of the Senate by April 1 of each year, a report on their activities from the preceding fiscal year. The Fiscal Year 1995 OJP Annual Report is expected to be submitted to Congress on or before April 1, 1996.
3. Section 404(a) (5) of the Missing Children's Assistance Act, as amended, requires the Administrator of the Office of Juvenile Justice and Delinquency Prevention to submit a report to the President and Congress no later than 180 days after the end of each fiscal year, which: (1) contains a comprehensive plan to facilitate coordination and cooperation among agencies and organizations with missing children responsibilities; (2) identifies effective Federal, State and local coordination and cooperation models for locating and recovering missing children; (3) identifies effective program models that provide treatment, counseling, or other aid to parents of missing children or children who have been victims of abduction; (4) describes how the Administrator provided adequate staff and agency resources to carry out title IV responsibilities; (5) describes the number and types of telephone calls received over the national toll-free telephone and the referrals to NHTS's national communications system (runaway hotline); (6) describes the activities of the national resource center and clearinghouse; (7) describes all programs assisted under the Section 405 discretionary grant program in the preceding fiscal year; (8) summarizes all missing children research completed in the preceding year under title IV; and (9) identifies each clearinghouse assisted under Section 405(a) (9) in the preceding fiscal year, the activities carried out, the types and amount of other assistance received, and specifies the number and types of cases handled/resolved and the circumstances of each case. The Fiscal Year 1995 Report is expected to be submitted by April 1996.
4. Section 520(c) of the Omnibus Crime Control and Safe Streets Act of 1968, as amended, requires the Director of the National Institute of Justice to annually report to the President, the Attorney

General, and the Congress on the nature and findings of the evaluation and research and development activities funded under Sections 501(c), 506 and 511. The Institute will report on its program to evaluate anti-drug programs and will report on anti-drug research and development projects initiated since the passage of the Anti-Drug Abuse Act of 1988. The Fiscal Year 1995 Report is scheduled for completion in April 1996.

5. Section 509U of the Justice Assistance Act of 1984 requires the Attorney General to submit to the President and Congress, by April 1 of each year, a report describing Federal law enforcement emergency assistance provided during the calendar year preceding the date the report is made. A report on the 1993 activities of the Emergency Assistance Program is due on April 1, 1996, and it is expected to be submitted on time.
6. Section 40291 of the Violent Crime Control and Law Enforcement Act (VCCLEA) of 1994 requires the Attorney General to submit to the Committee on the Judiciary of the House and Senate a report, no later than 1 year after September 13, 1994, describing the findings made on a Violence Against Women Research Agenda. The National Institute of Justice has worked with the Congress to extend this due date to late March 1996.
7. Section 40292 of the VCCLEA of 1994, as part of the Violence Against Women Act (VAWA), requires the Attorney General to submit to the Committee on the Judiciary of the House and Senate a report, no later than 1 year after September 13, 1994, describing the findings of the State Databases Study required under this subsection. A report on State Domestic and Sexual Violence Data collection has been submitted to Congress which states that nearly two-thirds of the states have centralized data bases on these crimes. The study identifies the need to address the states without databases and the following two issues: The variation in definitions of these crimes across states makes it difficult to compare, in aggregate, data at a national level; and there is a need to include data other than arrest data from other parts of the criminal justice system. These data also need to be linked to health and social service indicators, including child protective services. The 1996 Conference Bill provides funding to address these findings.
8. Section 40509 of the VCCLEA of 1994, requires the Attorney General, no later than one year after enactment of the VCCLEA, to complete a study on the problems of recordkeeping criminal complaints involving domestic violence. The study should focus on (1) efforts that have been made by the Department of Justice, including the Federal Bureau of Investigation, to collect statistics on domestic violence, and (2) the feasibility of requiring that the relationship between an offender and victim be reported in Federal records of crimes of aggravated assault, rape, and other violent crimes. Furthermore, the Attorney General must also submit a report and recommendations based on the study to

Congress. The report is expected to be submitted to Congress in March 1996.

8. Section 40507 of the VCLMA of 1994, as part of the VMA, requires the Attorney General and the Secretary of Health and Human Services to submit to the House Committee on Energy and Commerce, the Senate Committee on Labor and Human Resources, and the Committees on the Judiciary of the House and Senate, no later than 1 year after September 13, 1994, a report on the medical and psychological basis of "battered woman's syndrome" on the extent to which evidence of the syndrome has been considered in criminal trials. The Report is expected to be approved for submission to Congress in April 1996.
9. Section 210303 of the VCLMA of 1994 requires the Director of the National Institute of Justice (NIJ), no later than 1 year after September 13, 1994, to certify to the Committees of the Judiciary of the House and Senate that: (A) the Institute has entered into a contract with, or made a grant to, an appropriate entity for establishing, or has taken other appropriate action to ensure that there is established, no later than 2 years after September 13, 1994, a blind external proficiency testing program for DNA analyses, which shall be available to public and private laboratories performing forensic DNA analyses; (B) a blind external proficiency testing program for DNA analyses is already readily available to public and private laboratories performing forensic DNA analyses; or (C) it is not feasible to have blind external testing for DNA forensic analyses. NIJ has received grant applications to establish a blind external proficiency program under this provision. However, no appropriation has been made available and so the selection process is on hold."

Office of Justice Programs
Justice Assistance
1997 Priority Ranking

BASE PROGRAM		PROGRAM INCREASES	
Program	Ranking	Program	Ranking
Research, Evaluation & Demonstration Programs	1	Research, Evaluation & Demonstration Programs	1
Management and Administration	2	Research, Evaluation & Demonstration Programs	2
Criminal Justice Statistical Programs	3	Criminal Justice Statistical Programs	3
Missing Children	4	Management and Administration	4
Regional Information Sharing System	5		
White Collar Crime Information Center	6		
		The Defense Justice Partnership	
		DNA Technology & Standards Development Program	
		COLA	
		National Institute of Justice	

Office of Justice Programs
Justice Assistance
Detail of Permanent Positions by Category
Fiscal Years 1993-1997

Category	1993		1994		1997	
	Author- ized	Releas- able	Author- ized	Releas- able	Program Increases	Total Auth.
Attorneys (005)	20	0	20	0	0	20
Other Legal and Kindred (600-699)	2	0	2	0	0	2
Social Sciences, Economic and Kindred (100-199)	120	10	120	36	25	145
Personnel Management (200-299)	11	0	11	0	0	11
General Administration, Clerical and Other Services (300-399)	134	32	141	64	5	146
Accounting and Budget (500-599)	12	20	12	25	0	12
Engineering and Architecture Group (800-899)	2	0	2	0	0	2
Information and Arts Group (1000-1999)	4	6	4	12	0	4
Business and Industry Group (1100-1199)	23	0	23	0	0	23
Physical Sciences Group (1300-1399)	0	0	0	0	0	0
Library and Archives Group (1400-1499)	3	0	3	0	0	3
Mathematics and Statistics Group (1500-1599)	31	4	31	12	0	31
Equipment, Facilities and Service Group (1600-1699)	1	0	1	0	0	1
Supply Group (2000-2099)	2	0	2	0	0	2
TOTAL	365	73	373	148	30	403
Washington	365	73	373	148	30	403

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Office of Justice Programs
Justice Assistance
Summary of Changes
(Dollars in Thousands)

	Perm. Pos.	Work- Years	Amount
1990 Conference Allowance.....	372	371	\$99,977
Transfer in from other accounts.....			
Juvenile Justice Appropriation for Administrative Functions.....			4,800
1990 Appropriation Anticipated.....	372	371	104,777
Increases:			
1997 pay raise and locality pay adjustment.....			1,125
Annualization of 1993 locality pay adjustment.....			152
Annualization of 1990 pay raise.....			397
Within-grade increase (WGI).....			264
Travel mileage allowance rate.....			5
GSA rent.....			620
Commerce business daily.....			1
General pricing level adjustments.....			788
Total increases.....			3,320
1997 Base/ Request.....			108,097
Program Changes:			
Research, Evaluation, and Demonstration Programs.....			11,341
Criminal Justice Statistical Programs.....			1,500
Management and Administration, Justice Assistance.....	30	15	1,859
Total program changes.....	30	15	14,690
1997 Estimate.....	402	386	122,987

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Office of Justice Programs
Justification of Adjustments to Base
(Dollars in Thousands)

	Perm Pos.	Work- Years	Amount
Increases			
1. 1997 pay raise and locality pay adjustment This request provides for the proposed 3.0 percent pay raise and locality pay adjustment to be effective in January 1997 and is consistent with Administration policy included in the 1997 President's budget request. The amount requested, \$1,125,000, represents the pay amounts for three-quarters of the fiscal year plus appropriate benefits (\$665,000 for pay and \$260,000 benefits = \$1,125,000)	---	---	1,125
2. Annualization and increase of 1996 pay raise This pay annualization represents first quarter amounts (October through December) of the 1996 pay increase of 2.4 percent, plus appropriate personnel benefits and the additional amount required above the 2.2 percent originally requested for the three-quarters of the year (\$288,000 for pay and \$99,000 benefits)	---	---	387
3. Annualization of 1995 locality pay adjustment The adjustment represents the 1st quarter amounts of the locality pay increase received January 1996, plus appropriate personnel benefits	---	---	152
4. Within-grade increases This request provides for the expected increase in costs of within-grade increases. This increase is based on an accurate, dynamic model of the Department's employee population which includes numerous factors such as anticipated pay raises, adjustments to include three-year attrition/separation rates, and career ladder series to reflect promotion policy for each organization. The request includes \$203,000 for pay and \$61,000 for benefits	---	---	264

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5	Travel mileage allowance rate increase..... The mileage allowance rate has increased from 25 to 30 cents per mile. An increase of \$5,000 is requested in 1997 to cover this rate adjustment.	-	-	5
6	General Services Administration (GSA) rent..... GSA will continue to charge rental rates that approximate those charges to commercial tenants for equivalent space and related services. The requested increase of \$620,000 is required to meet our commitment to GSA. The costs associated with GSA rent were derived through the use of the automated system, which used the latest inventory data and GSA-provided 1996 rates.	-	-	620
9	Commerce Business Daily pricing increases..... The Commerce Business Daily announced that, effective October 1, 1995, it will charge \$18.00 for printing any notice in its publication. The increase of \$1,000 covers the estimated cost for this new charge.	-	-	1
7	General pricing level adjustments..... This request applies OMB pricing guidance as of June 11, 1995 to selected expense categories. The increased costs identified result from applying a factor of 2.9 percent against those subobject classes where the prices that the Government pay are established through the market system instead of by law or regulation. Generally, the factor is applied to supplies, materials, equipment, contracts with the private sector, printing costs, transportation costs, and utilities.	-	-	766
Total increases.....		-	-	3,320
Total, adjustment to base.....		-	-	3,320

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Office of Justice Programs
Justice Assistance
Summary of Recommendations by Grade and Object Class

	1986 Actual		1986 Estimate		1987 Request		Increase/Decrease	
	Wys.	Amount	Wys.	Amount	Wys.	Amount	Wys.	Amount
Grade and Salary Ranges								
Executive Level IV, \$115,700	6		6		6			
ES-6, \$117,827	1		1		1			
ES-4, \$113,180	5		5		5			
ES-3, \$107,379	2		2		2			
ES-2, \$102,736	1		1		1			
ES-1, \$97,987	1		1		1			
GS-15, \$73,498 - \$95,531	36		40		40			
GS-14, \$62,472 - \$81,217	56		56		60		4	
GS-13, \$52,867 - \$68,728	63		64		64			
GS-12, \$44,458 - \$57,800	91		91		73		22	
GS-11, \$35,981 - \$45,222	28		28		28			
GS-10, \$30,782 - \$38,222	2		2		2			
GS-9, \$27,698 - \$34,698	21		21		21			
GS-8, \$22,796 - \$28,088	12		12		12			
GS-7, \$25,081 - \$32,582	36		37		37			
GS-6, \$22,554 - \$28,520	12		13		13			
GS-5, \$20,233 - \$26,303	20		20		20			
GS-4, \$18,086 - \$23,515	10		12		16		4	
GS-3, \$16,111 - \$20,840								
GS-2, \$14,764 - \$18,577								
Locality Pay								
1 : 17 Pay Rates		200						
Total, Appropriated Positions	305	18,472	372	18,972	402	22,628	30	2,656
Pay above stated annual rates								
Lapses	(17)	(1,157)	(24)	(887)	(36)	(1,280)	(19)	(613)
Service due to lower pay scales for part of year	(205)		(103)		(215)		(113)	
Net full-time permanent	308	18,115	348	18,085	363	21,221	15	2,140
Other full-time permanent								
Part-time permanent	5	330	5	345	5	353		8
Temporary employment	10	377	10	744	16	772		28
Other part-time compensation								
Outlines	1	63						
Other compensation		182		320		320		
Special personal services payments								
TOTAL, Workyears & personnel compensation	364	19,080	371	20,520	398	22,798	15	2,178
Average ES Salary		\$108,831		\$112,502		\$118,018		
Average GS Salary		\$50,853		\$52,174		\$53,853		
Average GS Grade		11.07		11.03		11.04		

Office of Justice Programs
Violent Crime Reduction Programs
Estimates for Fiscal Year 1997
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Office of Justice Programs
Violent Crime Reduction Programs
Summary Statement
Fiscal Year 1997

In 1994, the Violent Crime Control and Law Enforcement Act sent a clear, strong message about the Nation's law enforcement strategy. It provides a balance between enforcement, punishment, and prevention programs and tough new sanctions in Federal law. The Violent Crime Reduction Trust Fund (VCRTF) supports these new programs. Federal workforce reductions, as required by the Federal Workforce Restructuring Act of 1994, provide the resources necessary to finance the VCRTF. OJP is requesting that \$1.9 billion be made available from the VCRTF to help States and localities continue and expand their efforts, begun in 1993, to escalate their battle against crime: to assist States and local governments to control and prevent drug use and violent crime, and to help them deal with the special problems posed by increasing incidents of youth violence, with special emphasis on community-based initiatives and post-incarceration reintegration of juvenile offenders; to expand prison space by building new prisons and jails and renovating others; to combat violence against women by strengthening effective law enforcement and prosecution strategies in dealing with violence against women and by providing victim services; to confront domestic violence through strong arrest programs and training in dealing with domestic violence situations and victims of domestic violence; to update law enforcement technologies to create a national criminal history data resource, and the ability to perform DNA testing and maintain and share that information; and to expand the use of drug courts to 'break the cycle of substance abuse and crime' by providing continuing judicial supervision and coerced abstinence and treatment to non-violent offenders.

Office of Justice Programs
Violent Crime Reduction Programs
Justification of Proposed Changes in Appropriated Language

Violent Crime Reduction Programs

For assistance (including amounts for administrative costs for management and administration), authorized by the Violent Crime Control and Law Enforcement Act of 1994, Public Law 103-322 (the 1994 Act), the Omnibus Crime Control and Safe Streets Act of 1968, as amended (the 1968 Act), and the Victims of Child Abuse Act of 1990, as amended (the 1990 Act), \$1,924,105,000 to remain available until expended, which shall be derived from the Violent Crime Reduction Trust Funds, of which \$50,000,000 shall be for grants to upgrade criminal records, as authorized by section 106(b) of the Brady Bumpkin Violence Prevention Act of 1993, as amended, and section 4(b) of the National Child Protection Act of 1993, of which \$35,000,000 shall be as authorized by section 1001 of title I of the 1968 Act, including \$75,000,000 to carry out the provisions of subpart 1, part E of title I of the 1968 Act, notwithstanding section 511 of said Act, for the Edward Byrne Memorial State and Local Law Enforcement Assistance Programs, and including \$50,000,000 to carry out chapter A of subpart 2 of part E of title I of said Act, for discretionary grants under the Edward Byrne Memorial State and Local Law Enforcement Assistance Programs, of which \$30,000,000 shall be for the State Criminal Alien Assistance Program, as authorized by section 242(f) of the Immigration and Nationality Act, as amended, of which \$50,000,000 for Violent Offender Incarceration and Truth in Sentencing Incentive Grants pursuant to subtitle A of title II of the 1994 Act, including \$170,000,000

for payments to states for incarceration of criminal aliens, \$12,500,000 for the Cooperative Agreement Program, and \$42,000,000 for a drug testing initiative of which \$6,000,000 shall be for the Court Appointed Special Advocate Program, as authorized by section 218 of the 1980 Act, of which \$1,000,000 shall be for Child Abuse Training Programs for Judicial Personnel and Practitioners, as authorized by section 224 of the 1980 Act, of which \$145,000,000 shall be for Grants to Combat Violence Against Women to States, units of local government and Indian tribal governments, as authorized by section 1001(a)(18) of the 1988 Act, of which \$17,000,000 shall be for Grants to Encourage Arrest Policies to States, units of local government, and Indian tribal governments, as authorized by section 1001(a)(19) of the 1988 Act, of which \$8,000,000 shall be for Rural Domestic Violence and Child Abuse Enforcement Assistance Grants, as authorized by section 40285 of the 1984 Act, of which \$100,000,000 shall be for Drug Courts, as authorized by section 1001(a)(20) of the 1988 Act, of which \$1,000,000 shall be for training programs to assist probation and parole officers who work with released sex offenders, as authorized by section 40192(c) of the 1984 Act, of which \$550,000 shall be for grants for talented testimony, as authorized by section 1001(a)(17) of the 1988 Act, of which \$1,250,000 shall be for national stalkers and domestic violence reduction, as authorized by section 40503 of the 1984 Act, of which \$16,000,000 shall be for grants for residential substance abuse treatment for State prisoners as authorized by section 1001(a)(17) of the 1988 Act, of which \$1,000,000 shall be for grants to States and units of local government for projects to improve DNA analysis, as authorized by section 1001(a)(22) of the 1988 Act, of which \$2,205,000 shall be for Law Enforcement Family Support Programs, as authorized by section 1001(a)(21) of the 1988 Act, of which \$900,000 shall be for the Missing Alzheimer's Disease Patient Alert Program, as authorized by section 240001(c) of the 1994 Act, of which \$1,000,000 shall be for Motor Vehicle Theft Prevention Programs, as authorized by section 220002(h) of the 1994 Act, of which \$1,000,000 shall

be for grants to assist in establishing and operating programs for the prevention, diagnosis, treatment and follow-up care of tuberculosis among inmates of correctional institutions, as authorized by section 12201(c)(3) of the 1994 Act; of which \$28,000,000 shall be for State Courts Assistance Grants, as authorized by section 210602 of the 1994 Act; of which \$500,000 shall be for the Presidential Summit on Crime and Violence and the National Commission on Crime Prevention and Control, as authorized by section 270009 of the 1994 Act; of which \$200,000 shall be for a National Baseline Study on Campus Sexual Assault, as authorized by section 40506(e) of the 1994 Act; of which \$8,000,000 shall be for Assistance for Delinquent and At-Risk Youth, as authorized by section 30702 of the 1994 Act; and of which \$2,000,000 shall be for public awareness programs addressing marketing scams aimed at senior citizens, as authorized by section 250005(3) of the 1994 Act. Provided, That funds made available in fiscal year 1997, under subpart 1 of part E of title I of the 1968 Act, may be obligated for programs to assist States in the litigation processing of death penalty Federal habeas corpus petitions.

Note. A regular 1996 appropriation for this account has not been enacted at the time this budget was prepared. The 1996 amounts included in this budget are based on the levels provided in three continuing resolutions: P.L. 104-91, P.L. 104-92, and P.L. 104-99.

Office of Justice Programs
Violent Crime Reduction Programs
Crosswalk of 1996 Changes
(Dollars in thousands)

Activity/Program	1996 President's Budget Request	1996 Conference Allowance	1996 Proposed Add-Back	1996 Appropriation Anticipated
Byrne Law Enforcement Assistance	\$260,000	\$147,000	\$0	\$147,000
Criminal Records Upgrade Program	25,000	25,000	0	25,000
Correctional Facilities Grants	500,000	617,500	0	617,500
Drug Courts Grants	150,000	0	100,000	100,000
Violence Against Women	174,700	174,500	0	174,500
State Criminal Alien Assistance	300,000	300,000	0	300,000
Local Crime Prevention	30,000	0	0	0
Law Enforcement Block Grants	0	1,903,000	(1,903,000)	0
Model Intensive Prevention	48,216	0	0	0
State Prison Drug Treatment	27,000	27,000	0	27,000
Rural Law Enforcement	10,252	0	0	0
Certain Punishment for Youth Offenders	9,843	0	0	0
Other Crime Control Programs	31,425	13,600	0	13,600
TOTAL VCRTF	\$1,666,236	\$3,207,600	(\$1,903,000)	\$1,404,600

**Office of Justice Programs
Violent Crime Reduction Programs
Summary of Reimbursements
(Dollars in thousands)**

Adjustments to Base:	Amount
1986 Conference Allowance.....	3,207,600
Proposed Reduction to Fund COPs.....	(1,803,000)
Transfer from the State and Local Law Enforcement Assistance Appropriation.....	386,000 ^u
1987 Base.....	1,792,600
Program Changes (See Program Narrative for Details).....	131,858
1987 Estimate.....	1,924,458

	1986 Appropriation		1987 Base		1987 Estimate		Increase/Decrease	
	Firm Pos.	WY Amount	Firm Pos.	WY Amount	Firm Pos.	WY Amount	Firm Pos.	WY Amount
Estimates by Budget Activity								
Byrne Law Enforcement Assistance.....	..	\$147,000	..	\$535,000	..	\$535,000	..	80
Criminal Records Upgrade.....	..	25,000	..	25,000	..	25,000	..	25,000
Criminal Justice Training.....	..	617,500	..	617,500	..	600,000	..	12,500
Drug Courts.....	..	100,000	..	100,000	..	100,000	..	0
Violence Against Women.....	..	174,500	..	172,600	..	184,500	..	21,700
State Criminal Alien Assistance.....	..	300,000	..	300,000	..	300,000	..	30,000
State Prison Drug Treatment.....	..	27,000	..	27,000	..	30,000	..	9,000
Other Crime Control Programs.....	..	13,500	..	13,500	..	49,955	..	33,255
	..	1,404,800	..	1,792,600	..	1,924,458	..	131,858

NOTE: Workyear positions are reflected under Justice Assistance, Management and Administration.

^u This reflects the transfer of Byrne Discretionary and Formula Grant funding provided in direct appropriations to the VCRP Appropriation. In 1987, it is proposed that funding for both Byrne programs remain at the \$805,000,000 level provided in the 1986 Conference action. However, it is requested that funds be derived entirely from the VCRP appropriation.

NOTE: Polls and information are reported for a Justice Assistant

[illegible]

**OFFICE OF JUSTICE PROGRAMS
YOUNG CRIME PREVENTION PROGRAM
PROGRAM PERFORMANCE INFORMATION
(Dollars in thousands)**

YOUTH LAW ENFORCEMENT ASSISTANCE

MISSION: To assist State and local units of government to control and prevent drugs, crime, and violence and to improve the functioning of the criminal justice system by helping States develop and implement innovative alternatives to traditional criminal justice operations.

ORGANIZATIONAL GOALS:

1. Award grants to States for the use by States and local units of government for crime prevention/control and system improvement programs.
2. Provide States with guidance on administrative issues and requirements.
3. Provide States and local criminal justice agencies with state-of-the-art information on effective programs, practices, and techniques.
4. Obtain information from the States on effective programs and to document 'what works' in reducing crime and improving the criminal justice system.
5. Provide the States and subgrantees with training and technical assistance on administrative and program issues.
6. Encourage States to address National priorities.
7. Monitor formula grant activities for compliance with requirements and the effective implementation of the statewide strategies.
8. Develop and test the effectiveness of new programs and practices to control and prevent drug use, crime and violence, and to improve the functioning of the criminal justice system at the State and local level.
9. Provide training and technical assistance to improve and enhance the capacity of State and local agencies and community members to engage in effective drug/crime and violence control/prevention activities.

10. Encourage and facilitate coordination and cooperation among criminal justice agencies; across jurisdictions; among Federal, State, and local agencies; across disciplines; and between the criminal justice system and the community.
11. Assess the impact of program activities on drug and crime problems and the operations of the criminal justice system.
12. Develop alternatives that reduce reliance on incarceration and relieve overcrowding in correctional institutions.

Edward Byrne Formula Grants:	Amount
1986 Availability	\$147,000
1987 Estimate	147,000
1997 Estimate	425,000
Increase/Decrease	278,000

BRIEF PROGRAM DESCRIPTION: The purpose of the Edward Byrne Memorial State and Local Law Enforcement Assistance Formula Grant Program, authorized by the Anti-Drug Abuse Act of 1988, is to assist States and units of local government in carrying out specific programs that offer a high probability of improving the functioning of the criminal justice system with special emphasis on nationwide and multi-level drug control strategies and violent crime prevention. Programs and projects are developed to assist multi-jurisdictional and multi-state efforts to control drugs and crime and to support National priorities. The Anti-Drug Abuse Act of 1988, as amended, authorizes programs in 26 purpose areas to improve the criminal justice system.

The 50 States, the District of Columbia, Puerto Rico, the Virgin Islands, Guam, American Samoa, and the Northern Mariana Islands are eligible to receive a formula grant award. A percentage of each State's formula award must be used for projects at the local level, based on the proportion of local criminal justice expenditures to total State and local criminal justice expenditures.

The States, in consultation with local officials, develop statewide drug and violent crime strategies and funding priorities to address their drug and violent crime problems and to improve the functioning of their criminal justice systems while supporting national priorities and objectives.

PROGRAM CHANGES: There is no change in the total 1997 request. Prior to 1997, this program received funding from 2 sources: (1) direct program funding and (2) indirect program funding through the Violent Crime Reduction Trust Fund (VCRTF). However, in 1997, the Formula Grant Program is entirely funded by the VCRTF. The \$475 million request will maintain the Formula Grant Program at its 1996 level, which enables States and local governments to continue current activities and to address new problems.

Edward Byrne Discretionary Grants

	Amount
1986 Availability	\$ 0
1987 Base	0
1987 Request	50,000
Increase/Decrease	50,000

BASE PROGRAM DESCRIPTION: The purpose of the Edward Byrne Memorial State and Local Law Enforcement Assistance Program, authorized by the Anti-Drug Abuse Act of 1988, is to assist States and units of local government in carrying out specific programs that offer a high probability of improving the functioning of the criminal justice system with special emphasis on nationwide and multi-level drug control strategies. The Anti-Drug Abuse Act of 1988, as amended, authorizes programs in 26 purpose areas to control drugs and improve the criminal justice system.

Through the Byrne Discretionary Grant Program, BJA provides leadership and guidance on crime and violence prevention and control and criminal justice system improvement at the state and local levels. BJA is authorized by Congress to make awards to public and private agencies and organizations for national scope and multi-state programs, demonstration programs, training, and technical assistance to assist States and local jurisdictions. National scope programs address issues of nationwide concern and programs provide a service or product of benefit throughout the country or across multiple States. Demonstration programs are used to develop, test, evaluate, and document new programs and practices. Training is developed and provided to State and local criminal justice practitioners and others to provide them with state-of-the-art information on effective programs and practices. Technical assistance provides support to sites participating in demonstration programs or is available to help individual jurisdictions implement a program or practice or address a specific issue.

Comprehensive Approaches: In 1997, BJA will continue to assist local communities and neighborhoods with the development and implementation of comprehensive approaches to problems related to drugs, crime, and violence at the community and neighborhood levels. A comprehensive approach requires law enforcement and other governmental agencies to work in partnership with community members and organizations to address crime problems, as well as the factors that increase the risk that individuals will become involved in problem behavior.

Violence Prevention: Programs to reduce and prevent violence including youth violence will continue to be a high priority in 1997, including the continuation and expansion of programs to control and reduce illegal firearms activity, homicides, and gang-related crimes.

Community Partnership and Prevention: Crime and violence are only a symptom of broader problems which plague our communities. Crime cannot be stopped by law enforcement without the active participation of the community and other public and private agencies. In 1997, BJA plans to expand and enhance community mobilization efforts by assisting local communities and law enforcement agencies in actively engaging resident and community groups in taking back their neighborhoods, one neighborhood at a time, from drug

dealers, gangs, and other criminals. This program area will complement efforts to hire additional police officers and to expand community policing. It is designed to encourage and prepare local communities to embrace community crime prevention, community mobilization, community revitalization, and neighborhood level problem solving.

Improve the Functioning of the Criminal Justice System: In 1997, BJA will continue to identify, develop, and test program policies, procedures, and standards of operations to improve the effectiveness and efficiency of the criminal justice system. The State and Local Justice Program will continue to examine law enforcement activities, the adjudicatory process, and corrections functions in an effort to help state and local agencies respond to emerging problems, identify ways to target limited resources on the most serious crime/offenders or where they will have the impact, and take advantage of new technologies and best practices.

Training and Technical Assistance: Efforts to identify "what works" is of limited value unless that information is widely disseminated and local practitioners are given assistance in replicating these innovations. In 1997, BJA will continue to expand training and technical assistance to state and local criminal justice practitioners, other government officials, service providers and community organizations and residents. Training and technical assistance will enable BJA to share information and lessons learned through demonstration programs which are developed in response to emerging problems at the state and local levels.

Evaluation: In order to increase the efficiency of programs and determine "what works," BJA will work with the National Institute of Justice (NIJ) to conduct evaluations of selected programs. BJA will also support evaluation efforts at the state and local levels. NIJ has a statutory responsibility for the evaluation of BJA's programs. A portion of the funds allocated for the programs described above may be reimbursed to NIJ to support the evaluation efforts.

PROGRAM CHANGES: Although there is no change in the total 1997 request, the source of funding for the Discretionary Grant Program has changed. The 1996 Conference Bill provides a total of \$60 million for the Discretionary Grant Program under the State and Local Law Enforcement Assistance appropriation. In 1997, however, the full \$60 million for this program is derived from the VCMPT. Since the amount requested remains at the 1996 level of \$60 million, State and local governments will be able to maintain current program activities.

Additionally, the 1996 Conference Bill contains language requiring BJA to provide \$45.6 million or approximately two-thirds of the available funds to 8 specific programs and organizations. In any given year, BJA's routine program development activities result in at least one-third of the discretionary funds being devoted to continuation efforts, technical assistance, and evaluation. The net effect of the 1996 earmarks was that ongoing efforts were markedly decreased, with some programs being discontinued entirely. BJA's ability to respond to problems and needs at the state and local level has been seriously diminished by

Congressional actions which direct large amounts of funds into program areas which have continued to receive Federal funding support for periods that extend beyond the statutory limits.

CENTRAL JUSTICE UPGRADE PROGRAM

MISSION: To enhance the quality, completeness, and accessibility of the nation's criminal history record systems.

ORGANIZATIONAL GOAL: Assist states in improving the level of criminal history record automation, accuracy, and completeness, and to transmit records to the national system.

Criminal Records Upgrade:

1996 Availability	Amount
1997 Base	\$ 25,000
1997 Estimate	25,000
Increase/ Decrease	-50,000
	25,000

BRIEF PROGRAM DESCRIPTION: This program implements the grant provisions of the Brady Handgun Violence Prevention Act and the National Child Protection Act of 1993, and those provisions of the Omnibus Crime Control and Safe Streets Act of 1968, as amended, and the Violent Crime Control and Law Enforcement Act of 1994, which pertain to the establishment, maintenance, or use of criminal history records and criminal record systems. The goal of the NCJRP program is to improve the quality of the nation's criminal history records and to support the timely development of the capability to perform adequate criminal background checks. The national system will permit the immediate identification of persons who are unauthorized to purchase a firearm or to hold positions of responsibility involving children, the elderly, or the disabled. The development of complete and accurate criminal records, which are immediately available on an interstate basis, is also critical to support law enforcement efforts to make determinations regarding pretrial release, career criminal charging, sentencing options, and correctional assignments. Background checks for national security and related purposes are also only as effective as the quality of the records on which they are based.

At least one grant has been made to each state and technical assistance is being provided under grant awards to assist states in identifying areas of weakness, auditing record status, long term planning, and developing and implementing technical and administrative programs.

PROGRAM CHANGES: In 1997, \$50 million is requested for continuation of the National Criminal History Improvement Program (NCJRP). The program implements Section 106(b) of the Brady Handgun Violence Prevention Act and Section 4(b) of the National Child Protection Act of 1993. Together, these acts authorize \$220 million. Of this, \$100 million was appropriated in 1995 to implement the Brady Act, \$25 million was provided in 1996 for implementation of both the Brady and Child Protection Acts. Of the \$100 million in

1995, \$6 million was provided to the Federal Bureau of Investigation (FBI) for startup tasks related to the initiation of a Federal effort to create a National Instant Criminal Background Check System (NICS) as required by the Brady Act. With approval of the Department of Justice, the nearly identical goals of the two Acts were merged into a single program initiative in order to insure uniformity in all grant-funded efforts to improve criminal history records nationwide.

Under the 1995 NCJRP program, approximately \$76 million in awards were made to all states. Total funds requested by the states for the three-year effort exceeds \$237 million, which is slightly more than the total funds authorized under the Brady Act and National Child Protection Acts combined. In addition, nearly \$5 million in awards from 1995 funds have been made to provide direct technical assistance to states and to evaluate the impact of the NCJRP program. The applications submitted by the states describe specific activities which are necessary to fully meet the goals of the Brady and Child Protection Acts with respect to criminal history record quality and accessibility to the national system (NICS). Full funding at the level authorized under the two Acts is necessary to provide support to meet these needs.

The Brady Act also requires that the national system provide background checks against records of the other categories of persons prohibited from firearms purchases both under the 1968 Gun Control Act and other legislation. These include fugitives, illegal aliens, persons under mental commitment, drug abusers, persons dishonorably discharged from the Armed Forces, citizenship renunciates, and, as most recently added under the 1994 Violent Crime Control Act, persons subject to a civil restraining order arising out of domestic violence. Five million dollars from the 1995 appropriation was reserved for pilot efforts in these areas under a program called NCJRP Advanced State Award Program. Applications have been received from 18 states requesting about \$4.7 million and awards will be announced in April 1996. It is anticipated that costs for this effort will continue to grow.

Achievement of the goals noted above without delay is particularly important in light of the current concern over ensuring that the national system (NICS) becomes functional no later than the date specified in the Brady Act (November 1998). Since the effectiveness of the system will be dependent on the quality, completeness, and equal access of the records included within, it is imperative that states receive the maximum authorized funding support to upgrade records and to insure participation in the national system.

Full funding for the 1997 request is also critical since the appropriation for years beyond 1995 must, under the Child Protection Act, also cover expenses related to development and implementation of techniques to identify those offenders with records of abuse against children, the elderly, or the disabled and to defray costs associated with background checks for persons seeking employment or volunteer positions involving children, the elderly, or the disabled. Although the Child Protection Act does not require that States enact legislation requiring background checks, it is clear that an increasing number of states are putting such requirements into effect and that facilitating such background checks will ensure that ineligible persons are not given responsibility involving children, the elderly, or the disabled.

CORRECTIONAL FACILITIES GRANTS

MISSION: To enhance the capability of states to confine violent offenders in secure facilities and ensure that violent offenders remain incarcerated for substantial periods of time through the implementation of truth-in-sentencing laws.

ORGANIZATIONAL GOALS:

1. Provide assistance to states for the construction, renovation, operation, and improvement of conventional and alternative correctional facilities that either add to/or free conventional prison space for the confinement of violent offenders.
2. Promote the implementation of truth-in-sentencing laws that ensure that violent offenders serve a substantial portion of the sentences imposed.

Correctional Facilities Grants:	
1996 Availability	Amount
1997 Base	\$617,500
1997 Estimate	617,500
Increase/ Decrease	\$10,000
	12,500

BASE PROGRAM DESCRIPTION: The Violent Offender Incarceration and Truth in Sentencing Incentive Grant Programs were created by Title II of the Violent Crime Control and Law Enforcement Act of 1994. Subtitle A authorizes formula and discretionary grants to states, and states organized as multi-state compacts, to construct, develop, expand, modify, operate, or improve correctional facilities, including boot camp facilities and other alternative correctional facilities, that can free secure prison space for the confinement of violent offenders. The program requires an applicant state to assure that it has: 1) truth-in-sentencing laws that ensure that violent offenders serve a substantial portion of the sentences imposed; 2) sufficiently severe punishment for violent offenders, including violent juvenile offenders; and 3) prison time for violent offenders that is sufficiently long to protect the public. Other assurances require states to submit a comprehensive correctional plan that represents an integrated approach to the management and operation of correctional facilities, policies that provide for the recognition of the rights and needs of crime victims; and, policies to ensure that incarcerated veterans receive the veteran benefits to which they are entitled. The Crime Act authorizes \$7.9 billion for this program through the year 2000.

In 1995, \$24.5 million of the \$175 million authorized was appropriated for discretionary grants for the planning, renovation, and construction of correctional boot camps at the state and local levels. Forty-four awards for boot camp projects were announced by the Attorney General on August 7, 1995, 27 for planning, 7 for renovation and 10 for construction.

A 1996 Conference bill containing \$617.5 million was vetoed by the President in December 1995. That bill contained significant changes to the program defined by the Crime Act. It modified the criteria to qualify for funding and excluded operating expenses as an allowable use of program funds. The bill changed the funding allocations between the two programs and to the states within each of the programs. It eliminated the discretionary grant program, except for a small amount for Indian Tribes, and eliminated the comprehensive correctional planning and veterans benefits requirements. The final statutory language for the program is expected to differ from that found in either the Crime Act or the 1996 Conference Bill.

PROGRAM CHANGE: The 1997 request of \$630 million represents a \$13 million increase over the amount assumed for 1996. These funds will help the states increase secure space to incarcerate violent offenders and to accommodate rapidly growing prison populations.

From Correctional Facilities funds in 1996, \$200 million is available for the State Criminal Alien Assistance Program (SCAAP) to reimburse States for holding criminal aliens and \$12.5 million is available for the Cooperative Agreement Program (CAP) to reimburse states for the short-term housing of Federal prisoners in state institutions. In 1997, \$170 million is available to SCAAP (\$30 million less than in 1996), \$12.5 million to CAP and \$42 million to implement the Drug Testing Initiative, which encourages drug testing of all arrestees before their initial appearance in court and urges prosecutors to seek appropriate measures for arrestees who fail pretrial drug tests. Universal drug testing at the pre-first appearance stage provides the criminal justice system an important tool for breaking the cycle of drug use and crime. With this information, magistrates will be able to better assess appropriate pretrial release conditions, including further testing and appropriate monitoring and treatment, and use the force of the criminal justice system to encourage defendants to stop using drugs. This ability to use the criminal justice system as a means of coercing the abstinence of further drug use should then continue throughout the offender's incarceration or probation period. The \$42 million will be used to establish federal demonstration pre-trial drug testing programs and to promote new, comprehensive drug testing programs at the state and local levels, for both pre-trial and post conviction populations. The initiative also provides funding for program research and evaluation.

DRUG COURT GRANTS

MISSION: To improve public safety and reduce criminal recidivism through intensively supervised drug treatment for drug addicted, non-violent criminal offenders.

Prison populations are currently growing at a rate of 1,725 beds per week. At least part of this growth can be attributed to changes in sentencing laws and practices implemented by States in anticipation of the requirements for the Violent Offender Incarceration and Truth in Sentencing Incentive Grant Programs.

ORGANIZATIONAL GOAL: Provide financial and technical assistance for State, State courts, units of local government, local courts and Indian tribal governments to develop and implement treatment drug courts that employ the coercive power of the courts to subject non-violent offenders to an integrated mix of treatment, substance abuse testing, incentives, and sanctions to break the cycle of substance abuse and crime.

Drug Courts:	Amount
1996 Availability	\$ 100,000
1997 Estimate	100,000
1997 Estimate	100,000
Increase/ Decrease	0

BRIEF PROGRAM DESCRIPTION: As enacted by section 50001 of the Violent Crime Control and Law Enforcement Act of 1994, the Drug Courts program provides financial and technical assistance for State, State courts, units of local government, local courts and Indian tribal governments to develop and implement treatment drug courts that employ the coercive power of the courts to subject non-violent offenders to an integrated mix of treatment, substance abuse testing, incentives, sanctions and services to break the cycle of substance abuse and crime.

In November 1994, the Office of Justice Programs (OJP) established a new Drug Courts Program Office to administer this program and to oversee the Drug Court Clearinghouse established by the Bureau of Justice Assistance (BJA). In January 1995, OJP published proposed regulations in the Federal Register and, in March 1995, published and disseminated Drug Court Program Guidelines and Application Information. The guidelines were produced through a coordinated effort of OJP and its component offices and bureaus, and the Department of Health and Human Services. Applications were due on May 23, 1995.

A total of 130 applications were received from 41 states, Puerto Rico, and the District of Columbia. The Attorney General announced 52 planning grants on August 17, 1995, and 5 implementation and a enhancement grants on September 31, 1995. Four training and technical assistance workshops were held in November 1995, December 1995 and January 1996 for the 52 planning grantees.

**VIOLENCE AGAINST WOMEN PROGRAM
GRANTS TO COMBAT VIOLENT CRIMES AGAINST WOMEN**

MISSION: To develop and strengthen effective coordinated and integrated law enforcement and prosecution strategies and related victim services in cases involving violent crimes against women.

ORGANIZATIONAL GOALS:

1. Expand the formula grant program established in 1993 to promote the apprehension, prosecution, and adjudication of persons committing violent crimes against women.

2. Encourage States and localities to restructure the criminal justice response to violent crimes against women.
3. Develop a comprehensive set of strategies in response to violent crimes against women that draw on the experiences of all of the key components of the criminal justice system, including the advocacy community.

Grants to Combat Violent Crimes Against Women:	Amount
1996 Availability	\$ 130,000
1997 Base	130,000
1997 Estimate	145,000
Increase/ Decrease	15,000

BRIEF PROGRAM DESCRIPTION: This program implements Section 40121, "Grants to Combat Violent Crimes Against Women," of the Violent Crime Control and Law Enforcement Act of 1994, codified at Sections 2001-6 (42 U.S.C. § 3796gg to gg-5) of the Omnibus Crime Control and Safe Streets Act of 1968, as amended. The program is authorized under Section 1001(a)(18) (42 U.S.C. § 3793(a)(18)) of the Omnibus Crime Control and Safe Streets Act of 1968, as amended.

The program awards formula grants to States, units of local government, and tribal governments to develop a proactive, coordinated, and integrated strategy to respond to violent crimes against women. The legislation also mandates that 4 percent of funding be available for discretionary grants for Indian tribal governments for the same purpose. The development of a coordinated and integrated strategy necessitates collaboration among police, prosecutors, the courts, and victim services providers. Examples of the types of innovative approaches that may be supported with formula and discretionary grant funds include:

- (1) Comprehensive training programs to change attitudes that traditionally have prevented the criminal justice system from responding adequately to violent crimes against women;
- (2) Specialized units within police departments and prosecutors' offices, or specialized multidisciplinary units devoted exclusively to handling domestic violence and/or sexual assault cases;
- (3) Sexual trauma units in emergency rooms where forensic examinations, victim counseling, and victim advocacy are equally available;
- (4) Strategies that maximize resources by establishing regional approaches, such as the registration and enforcement of protective orders across jurisdictional lines;
- (5) Protocols to achieve better coordination between civil and criminal courts in cases involving violence against women; and

- (6) Victim services that address the special needs of women from minority and ethnic communities, women with disabilities, and non-English-speaking women.

In 1995, the Violence Against Women Grants Office awarded grants of \$426,364 to 56 States and Territories. This was the first stage of a multi-year effort to enhance the criminal justice system response to violence against women. Every State and Territory complied with the requirement to limit the out-of-pocket costs for forensic medical exams and court procedures for victims of domestic violence and sexual abuse. In addition, 1995 funding supported 14 grants totaling \$1,021,594 to tribal governments to improve the tribal justice system response to violence against Indian women.

PROGRAM CHANGE: The request for \$145 million represents the total amount authorized by the Violent Crime Control and Law Enforcement Act of 1994 for this program in 1997. The increase of \$15 million over the 1996 funding level will allow more effective grants to be available to the States and further expand access to services to previously underserved Indian and other minority populations.

**VIOLENCE AGAINST WOMEN PROGRAM
GRANTS TO ENCOURAGE ARREST POLICIES**

MISSION: To strengthen the criminal justice system's response to domestic violence and ensure that domestic violence is treated as a serious violation of criminal law.

ORGANIZATIONAL GOALS:

1. Encourage States, units of local government, and Indian tribal governments to implement mandatory arrest or pro-arrest programs and policies in response to domestic violence incidents, including mandatory arrest programs and policies for violations of protection orders.
2. Continue to enhance the capability of all components of the criminal justice system to respond consistently and in a coordinated and integrated manner to cases involving domestic violence.

Grants to Encourage Arrest Policies:

1996 Availability	Amount
1997 Base	928,000
1997 Estimate	28,000
Increase/Decrease	-32,000
	5,000

BASE PROGRAM DESCRIPTION: This program implements Section 40231, "Encouraging Arrest Policies," of the Violent Crime Control and Law Enforcement Act of 1994, codified at Sections 2101-5 (42 U.S.C. § 3756hh to hhh) of the Omnibus Crime Control and Safe Streets Act of 1968, as amended. The program is authorized under Section 1001(a)(19) (42 U.S.C. § 3793) of the Omnibus Crime Control and Safe Streets Act of 1968, as

awarded, section 1001(a) (19) (A) of Title I of the Omnibus Crime Control and Safe Streets Act of 1968 (42 U.S.C. 3793), as amended by section 40121(c).

The program awards discretionary grants to States, units of local government, and Indian tribal governments to: implement mandatory arrest or pro-arrest programs and policies in police departments, including mandatory arrest programs and policies for protection order violations; provide training to improve police tracking of cases involving domestic violence; centralize and coordinate police enforcement, prosecution, and/or judicial responsibility for domestic violence cases; coordinate computer tracking systems to ensure communication among police, prosecutors, and criminal and family courts; strengthen legal advocacy service programs for domestic violence victims; and educate judges in criminal and other courts about domestic violence to improve judicial handling of such cases. The program requires States to demonstrate that their laws, policies, and/or practices discourage dual arrests of the offender and victim; prohibit the issuance of mutual protection orders (except in cases in which both parties file a claim and the court finds that they both acted primarily as aggressors and that neither acted primarily in self-defense); and do not require that the abused person bear the costs associated with filing criminal charges or service of such charges on the abuser, or issuance or service of a warrant, protection order, or witness subpoena.

PROGRAM CHANGE: The request for \$33 million represents the total amount authorized by the Violent Crime Control and Law Enforcement Act of 1994 for this program in 1997. The increase of \$5 million over the 1996 funding level will permit the implementation of mandatory or pro-arrest policies in additional jurisdictions across the country.

VIOLENCE AGAINST WOMEN PROGRAM RURAL DOMESTIC VIOLENCE AND CHILD ABUSE ENFORCEMENT ASSISTANCE

MISSION: To enhance the capability of States, Indian tribal governments, local governments, and public and private entities in rural areas to respond in a coordinated and integrated manner to incidents of domestic violence and child abuse.

ORGANIZATIONAL GOAL: Enhance cooperation among all components of the criminal justice system in responding to incidents of domestic violence and child abuse/victimization in rural jurisdictions.

Rural Domestic Violence and Child Abuse Enforcement:	Amount
1996 Availability	\$ 7,000
1997 Base	7,000
1997 Estimate	-8,000
Increase/ Decrease	1,000

BASE PROGRAM DESCRIPTION: This program implements Section 40295, "Rural Domestic Violence and Child Abuse Enforcement Assistance," of the Violent Crime Control and Law Enforcement Act of 1994, codified at Section 40295 (42 U.S.C. § 13971) of the Violent Crime Control and Law Enforcement Act of 1994. The program awards

discretionary grants to states, Indian tribal governments, local governments in rural states, and public and/or private entities in rural states to establish and expand cooperative efforts and projects among law enforcement officers, prosecutors, victim advocacy groups, and other related parties or entities to investigate and prosecute incidents of domestic violence and child abuse; provide treatment and counseling to domestic violence and child abuse victims; and work with their respective community organizations to develop education and prevention strategies to address domestic violence and child abuse/victimization.

PROGRAM CHANGE: The request for \$8 million represents the total amount authorized by the Violent Crime Control and Law Enforcement Act of 1994 for this program in 1997. The increase of \$1 million over the 1996 funding level will provide access to services in additional rural jurisdictions across the country.

STATE CRIMINAL ALIEN ASSISTANCE PROGRAM

MISSION: To provide Federal assistance to states and local units of government for costs of incarcerating illegal aliens convicted of felony offenses and expedite the transfer of custody for certain deportable aliens.

CONGRESSIONAL GOALS:

1. Reimburse states and local governments for the costs of incarcerating illegal criminal aliens convicted of a felony.
2. Better identify criminal aliens who are in the country illegally.
3. Expedite the process of transferring illegal aliens from state and local correctional institutions to Federal custody in preparation for deportation.

State Criminal Alien Assistance Program:

1996 Availability	Amount
1997 Base	\$ 100,000
1997 Estimate	100,000
Increase/Decrease	100,000

ALN PROGRAM DESCRIPTION: The State Criminal Alien Assistance Program (SCAAP), authorized by the Violent Crime and Law Enforcement Act of 1994, is administered by the Bureau of Justice Assistance (BJA). Under this program, BJA processes applications and makes awards to states and local governments to reimburse them for the costs of incarcerating illegal criminal aliens. Verification of the immigration status of inmates claimed is done solely by the Immigration and Naturalization Service (INS), with results of this verification being reported to BJA and the applicants. At the discretion of the Attorney General, certain

types of deportable aliens (especially aggravated felons), may be taken into Federal custody pending deportation in lieu of reimbursement.

Awards are based on verified counts of illegal aliens convicted of felony offenses made by State and local correctional institutions and on average inmate costs. The final awards represent partial reimbursement of total costs claimed for verified illegal criminal alien inmates, to the full extent of the appropriation for the Fiscal Year (minus some administrative costs, as provided for in the legislation). In 1995, SCAAP final awards were made on February 1, 1996, following the review and verification of both the alien status of inmates identified by the INS and cost information provided by applicant. Including sums distributed to seven states in late 1994, forty-four states and the District of Columbia received awards varying from \$5,546 (West Virginia) to \$63,969,580 (California). In 1995, reimbursements totaling \$128.7 million were provided for 37,679 inmates. This represents a payout to each applicant of approximately \$.16 cents on every dollar claimed.

PROGRAM CHANGE: The 1997 budget request is \$330 million which represents a \$30 million increase over the 1996 Conference level and reflects an increase in the authorization level. This additional funding is needed in order to reimburse State and local governments for the costs associated with the anticipated increase in the number of verified illegal criminal aliens. Increases in the number of requests for reimbursement are expected as State and local governments improve their methods of identifying illegal criminal aliens and documenting the costs of incarcerating them for felony convictions. This, combined with the \$170 million provided as part of the State Correctional Grants, provides a total of \$500 million for SCAAP in 1997; the same as in 1996.

STATE PRISON DRUG TREATMENT PROGRAM

MISSION: To enhance the capability of states and units of local government to provide residential substance abuse treatment for incarcerated inmates.

ORGANIZATIONAL GOAL: The Residential Substance Abuse Treatment for State Prisoners Program provides funds for States and units of local governments to develop and implement residential substance abuse treatment programs within state and local correctional and detention facilities in which inmates are incarcerated for a period of time sufficient to permit substance abuse treatment.

State Prison Drug Treatment Program:
1996 Availability
1997 Base
1997 Estimate
Increase/ Decrease

Amount
\$ 27,000
27,000
16,000
9,000

BASE PROGRAM DESCRIPTION: The Residential Substance Abuse Treatment for State Prisoners Program provides funds for states and units of local government to develop and implement residential substance abuse treatment programs within state and local correctional and detention facilities in which inmates are incarcerated for a period of time sufficient to permit substance abuse treatment.

PROGRAM CHANGE: As enacted by Title II of the Violent Crime Control and Law Enforcement Act of 1994, Section 32101 authorizes formula grants to states, for use by states and local governments, to provide residential substance abuse treatment programs within state correctional facilities and local correctional and detention facilities, when inmates are incarcerated for sufficient time to permit substance abuse treatment. State aftercare services must involve the coordination of the correctional facility treatment programs with other human services and rehabilitation programs, such as educational and job training programs, parole supervision programs, halfway house programs, and participation in self-help and peer group programs, that may aid in rehabilitation of individuals in the substance abuse treatment programs.

PROGRAM CHANGE: Funding for this program was first authorized in 1996. In 1997, the full authorized level of \$36 million is requested to implement the State Prison Drug Treatment Program. The increase of \$9 million over the 1996 funding level will allow states to moderately expand new 1996 programs.

Studies and statistics referenced in the National Drug Control Strategy show that "the fastest and most cost-effective way to reduce the demand for illicit drugs is to treat chronic, hardcore drug users. They consume the most drugs, commit the most crimes, and burden the health care system to the greatest extent. Without treatment, chronic hardcore users continue to use drugs and engage in criminal activity. . . . An average of 63 percent of adult male arrestees test positive for drugs according to the most recent Drug Use Forecasting data. The proportion of drug using offenders among the 1.4 million inmates in state prisons and local jails is even higher. Yet only about 11 percent of prison inmates participate in drug treatment programs. Recent research and evaluations show consistent reductions in recidivism rates for offenders completing treatment programs. Successful outcomes are tied to length of time in treatment (at least 6 months) and provision of continued treatment in the community after release. Programs that address the myriad problems associated with the lifestyle of drug use and addiction are the most effective.

The extra \$9 million for 1997 is expected to result in an additional 3,300 offenders treated each year, approximately 2,500 of whom will not be reincarcerated for another crime. Recent research shows that if the resources are focused on high rate addict-felons, these targeted offenders can be expected to commit over 125,000 fewer robberies, 212,000 fewer burglaries and engage in approximately 10 million fewer drug transactions per year after release from the program than if they had not been treated and continued their life of crime.

COURT APPOINTED SPECIAL ADVOCATES

MISSION: To provide for a Court Appointed Special Advocate (CASA) to every victim of child abuse or neglect in the U.S. that needs such an advocate.

ORGANIZATIONAL GOALS:

1. Provide technical assistance, information, and support to Court Appointed Special Advocate (CASA) programs, as well as information and assistance to communities developing new programs, and provide support to existing and developing State organizations on issues such as the development of goals and objectives, State legislation, and State standards to strengthen local programs.
2. Promote and enhance effective, well-managed programs providing volunteer representation of children, by frequently reviewing, updating, and revising National Court Appointed Special Advocate Association Program Standards and Recommended Management Practices; to assure that CASA/GAL (Guardian Ad-Litem) programs have available the best, most current information on excellence in CASA programs in order to develop tools for use in assessing program quality; and to maintain a resource library for program reference.

Court Appointed Special Advocates:

1996 Availability	Amount:
1997 Base	\$ 5,000
1997 Estimate	5,000
Increase/ Decrease	<u>0</u>

BRIEF PROGRAM DESCRIPTION: The National Court Appointed Special Advocate program is authorized by Section 215 of the Victims of Child Abuse Act of 1992, 42 U.S.C. 13011, and Section 261(a)(3) of the Juvenile Justice and Delinquency Prevention Act of 1974, as amended, 42 U.S.C. 5645. The program is administered by the Office of Juvenile Justice and Delinquency Prevention (OJJDP). In 1994, Congress directly appropriated \$4.5 million to support technical assistance and training and to expand the nationwide CASA program. In 1995 and 1996 an increase of \$1.5 million was provided for this program bringing the total to \$6 million. In 1996, \$6 million was appropriated under the Violent Crime Reduction Programs appropriation. A further appropriation of \$5 million is being requested for 1997. This project recognizes the need for technical assistance in program development and public relations, so that CASA programs can effectively complement the services provided to children and their families through the existing juvenile court and social service delivery systems. To advance the program services/growth objectives of this project, the National Court Appointed Special Advocate Association (NCAASA) provides on-going direct consultation and referral to CASA programs and other resources. A 1-800 telephone line successfully facilitates technical assistance and personal consultation between program members and national professional staff. NCAASA continues to encourage the development of unified, strong organizations at the State level for the purpose of support for

new programs, communication among existing programs, training, development of standards for program quality and consistency, and advocacy with their State legislatures.

CHILD ABUSE TRAINING PROGRAMS FOR JUDICIAL PERSONNEL AND PRACTITIONERS

MISSION: To develop, refine and implement model training and technical assistance programs to improve the juvenile and family courts' handling of abuse and neglect cases and the design of model programs to improve State court systems.

ORGANIZATIONAL GOAL: To develop resource guidelines for the juvenile and family courts' handling of abuse and neglect cases and a comprehensive training curriculum designed to improve the judicial system's handling of abuse and neglect cases and to develop a technical assistance package that will allow for the transfer of preferred practice and resource guidelines to other juvenile court jurisdictions to improve the effectiveness of processing child abuse and neglect cases.

Training for Judicial Personnel:

1996 Availability	Amount
1997 Base	\$ 750
1997 Estimate	750
<u>Increase/- Decrease</u>	<u>-1,000</u>
	250

BASE PROGRAM DESCRIPTION: The Judicial Child Abuse Training program is authorized by Section 223(a) of the Victims of Child Abuse Act of 1990, P.L. 101-647, as amended. The program is administered by the Office of Juvenile Justice and Delinquency Prevention. The program provides for a grant to the National Council of Juvenile and Family Court Judges to develop model technical assistance and training programs to improve the court system's handling of child abuse and neglect cases. The program received funding at the \$750,000 level for 1995 and 1996. For 1997, \$1 million is being requested under the Violent Crime Reduction Programs appropriation. Under this program, a comprehensive set of resource guidelines will be established for use by the Nation's juvenile and family courts to offset a fundamental lack of resources and other institutional barriers to conducting careful and complete hearings and issuing subsequent court determinations. The resource guidelines will address the who, what, why, when, and how of each court proceeding and will describe what each hearing should cover, who should be present, and how much time should be allowed for the hearing. The resource guidelines will include recommendations applicable to all courts, followed by specific standards applicable to urban courts and specific standards applicable to rural courts. The resource guidelines will be organized to include practical suggestions on how to improve efficiency, streamline court proceedings, and marshal additional resources. A training curriculum will be developed for judges and other professionals involved in decision-making regarding abused and neglected children. Critical training units will be identified and core curricula will be devised for application to interdisciplinary programs involving judges, court personnel, attorneys, social service representatives, and

other child welfare professionals. Included in the technology transfer of a technical assistance package will be a means to measure a court's performance in improving practice.

PROGRAM CHANGE: The request for \$1 million represents the total amount authorized for the program in 1997 under the Violent Crime Control and Law Enforcement Act of 1994. The increase is \$250,000 over the 1996 level and will allow for modest program expansion.

GRANTS FOR TESTIFIED TESTIMONY

MISSION: To reduce the trauma related to testifying at a hearing and/or trial by children who are a victims of abuse.

ORGANIZATIONAL GOALS:

1. Encourage States to pass laws that allow the use of closed-circuit televising and video taping of testimony of children in criminal proceedings for the violation of laws relating to child abuse.
2. Assist courts in establishing procedures and programs for televised testimony in cases where the judge determines that a child witness will be traumatized by the presence of the defendant.

Televised Testimony:	Amount
1996 Availability	\$ 50
1997 Base	50
1997 Estimate	50
	<u>50</u>
	500
	500

BASE PROGRAM DESCRIPTION: The Omnibus Crime Control and Safe Streets Act of 1968 as amended by the Crime Control Act of 1990 created Part E--Grants for Closed-Circuit Televising of Testimony of Children Who are Victims of Abuse. The Director of the Bureau of Justice Assistance is authorized to make grants to provide equipment and personnel training for the closed circuit televising and video taping of the testimony of children in criminal proceedings for the violation of laws relating to the abuse of children.

The program was originally established as a formula grant program, with each participating State receiving a base award of \$50,000; the remaining balance was to be distributed to participating States on the basis of population. Funding was appropriated for the first and only time in 1992. Awards totaling the \$1 million appropriation were made to 26 States in 1993. This funding appropriation was insufficient and failed to cover the base award for participating States. Therefore, each participating State received a smaller award of \$18,462 as seed money to encourage the use of closed-circuit televised testimony from child abuse victims in State and local courts. Awards were made only to States which had laws permitting the use of closed-circuit or videotaped testimony from child witnesses in criminal child abuse proceedings.

To date, results have been limited in many of the States which received awards because of the very small amounts of funds available to each State under this Formula Grant Program. Some States developed training programs and worked with local prosecutors or court personnel to develop training initiatives. Additionally, States used this funding primarily to purchase equipment and to develop and provide training to prosecutors and court personnel. For example, Wisconsin reported that this initiative resulted in the development of 9 multi-disciplinary investigative teams and the training of over 50 individuals from 14 agencies in the techniques for developing and maintaining effective teams and the effective use of closed circuit/ videotape technology in the jurisdictions to implement or expand their program.

The Crime Act changed this program from a Formula Grant Program to a Discretionary Grant Program. In 1997, \$530,000 is requested to implement this program. The funds will be used to develop and implement 5-10 demonstration projects. The effectiveness of projects will be assessed, successes will be documented, and findings will be shared with other jurisdictions.

PROGRAM CHANGE: The Violent Crime Control and Law Enforcement Act of 1994 authorized the Televised Testimony Program with authorization levels of \$250,000 in 1995 and \$1 million each subsequent year through 2000. The increase of \$500,000 over the 1995 funding level will be used to greatly expand the program by demonstrating the effectiveness of using televised testimony in child abuse cases, encouraging more jurisdictions to adopt this practice, and encouraging additional States to pass laws permitting this type of testimony to be used in court.

STATE COURT ASSISTANCE GRANTS

MISSION: To enable courts, prosecutors, public defenders, probation and parole agencies, and other criminal justice participants to deal with the special problems posed by increasing incidents of youth violence, with special focus on community-based initiatives to deal with juvenile offenders and their post-incarceration reintegration into the community.

ORGANIZATIONAL GOALS:

1. Make grants for States and units of local government to pay the costs of providing increased resources for courts, prosecutors, public defenders, and other criminal justice participants faced, in particular, with rising youth violence.
2. Develop and test the effectiveness of new programs and practices to increase the efficiency and effectiveness of the adjudicatory process at the State and local levels.
3. Provide State and local criminal justice agencies with state-of-the-art information on innovative and effective programs, practices, and techniques.
4. Encourage and facilitate coordination and cooperation among participants in the adjudicatory process.

5. Assess the impact of program activities on the court process.

State Court Assistance:		Account
1996 Availability		\$ 0
1997 Base		0
1997 Estimate		28,000
Increase/ Decrease		28,000

BASIC PROGRAM DESCRIPTION: The Attorney General is authorized by the Violent Crime Control and Law Enforcement Act of 1994 to make grants to states and units of local government to pay the costs of providing increased resources for courts, prosecutors, public defenders, and other criminal justice participants to meet the increased demands for judicial activities. The Attorney General may make grants to, or enter into contracts with public or private agencies, institutions, or organizations or individuals to achieve this goal. This program will be administered by the Bureau of Justice Assistance, under the authority of the Attorney General.

PROGRAM CHANGES: Although the 1997 budget request of \$28 million is \$2 million below the 1997 authorized level, it restores funding to this program which was served out in the 1996 Conference Bill. The 1997 request will be used to enable the courts to target youth violence, by creating and participating in community efforts to successfully reintegrate juvenile offenders into the community.

ASSISTANCE FOR DELINQUENT AND AT-RISK YOUTH

MISSION: To provide funds for the development and operation of residential services (boarding schools) for at-risk youth.

ORGANIZATIONAL GOAL: Provide funds to public and private non-profit organizations to support the development and operation of projects that provide residential services to youth between the ages of 11 and 19 who have dropped out of school, had contact with the juvenile justice system, or are at risk for doing either or both.

Youth Academies		Account
1996 Availability		\$ 0
1997 Base		0
1997 Estimate		8,000
Increase/ Decrease		8,000

BASE PROGRAM DESCRIPTION: This program will make funding available for public and private non-profit agencies providing residential services to at-risk youth. To qualify for funding, residential programs must be designed to improve the academic performance, vocational skills, self-esteem and responsible decision making abilities of the youth they serve.

In addition, applicants must explain how their programs will meet applicable state and local safety requirements for facilities and provide academic instruction in accordance with state, Indian tribal government, or local educational standards as well as explain specific measurable outcomes for the youth to be served and an analysis of how the program will prevent delinquency.

PROGRAM CHANGE: The 1997 request for \$6 million restores funding to this program which was set aside in 1995.

MISSING ALZHEIMER'S DISEASE PATIENT ALERT PROGRAM

MISSION: To establish a national Missing Alzheimer's Disease Patient Alert Program to protect and locate missing patients with Alzheimer's disease and related dementias.

ORGANIZATIONAL GOAL: Award a grant to a national voluntary organization that has a direct link to patients, and families of patients, with Alzheimer's disease and related dementias, to assist in paying for the costs of planning, designing, establishing and operating a national Missing Alzheimer's Disease Patient Alert Program.

Missing Alzheimer Patients:

1996 Availability	Amount
1997 Base	\$ 900
1997 Estimate	900
Increase/ Decrease	---200
	0

BASE PROGRAM DESCRIPTION: This grant is authorized by section 240001 of the Violent Crime Control and Law Enforcement Act of 1994. These funds are provided for a grant to address materials development, outreach, and training of local law enforcement, public safety, and emergency health personnel in identifying and handling lost Alzheimer's patients.

NATIONAL STALKER AND DOMESTIC VIOLENCE REDUCTION

State Stalking and Domestic Violence Data

MISSION: To develop and improve the processes for identifying, classifying, collecting, and entering data regarding stalking and domestic violence into local, state, and national crime information databases.

ORGANIZATIONAL GOAL: Assist states in their efforts to collect data on stalking and domestic violence and to make such information available through the national criminal history record network.

State Stalking & Domestic Violence Data:
 1996 Availability
 1997 Base
 1997 Estimate
 Increase/ Decrease

Amount
 \$1,500
 1,500
 1,750
 250

BUREAU PROGRAM DESCRIPTION: The program implements provisions of Section 40602 of the Violent Crime Control and Law Enforcement Act of 1994, which authorizes a program to assist states in identifying, classifying, collecting, and transmitting data on warrants, arrests, convictions, and protection orders relating to stalking and domestic violence, and making such information available through the national criminal history record network. For 1996, \$1.5 million was provided to implement this stalking and domestic violence component of the Bureau of Justice Statistics National Criminal History Improvement Program (NCHIP). The NCHIP grant program is awarding grants to every state and eligible U.S. territories to upgrade the quality and availability of criminal history records for both criminal and noncriminal justice purposes. Without such funds, states will have less adequate on-line information about stalkers and others who have committed domestic violence and the information will be less available between states. The data files to be funded by this program are not statistical or research databases, but are the automated systems accessed by law enforcement agencies for crime fighting purposes.

PROGRAM CHANGE: The 1997 request represents the 1997 authorized level. The increase of \$250,000 in funding over the 1996 level will allow for a modest program increase.

DNA IDENTIFICATION - STATE GRANTS

MISSION: To improve the quality and availability of DNA analysis for law enforcement identification purposes.

ORGANIZATIONAL GOALS:

1. Develop or establish forensic DNA testing capabilities in state and local forensic laboratories which do not currently conduct DNA testing.
2. Improve or expand forensic DNA testing in state and local forensic laboratories which already conduct DNA testing.
3. Insure that DNA testing meets national standards for DNA quality assurance and proficiency testing.
4. Facilitate implementation of state laws requiring establishment of state databases of DNA records of convicted offenders (as defined by state law).
5. Foster cooperation and mutual assistance among forensic DNA laboratories within and between states that are seeking to match and exchange DNA identification records for law enforcement purposes via

the FBI's combined DNA Index System (CODIS). The CODIS database is designed to allow quick searches at the state, region, and national levels. Establishment of state databases are not only complementary, but essential to fully implement CODIS.

6. Provide the greatest overall improvement to the nation's forensic DNA testing capabilities recognising current and projected requirements for DNA testing, and current technology and foreseeable trends.

DNA Identification Grants:	
1996 Availability	Amount
1997 Base	\$1,000
1997 Estimate	1,000
Increase/ Decrease	2,000

BRIEF PROGRAM DESCRIPTION: The Forensic DNA Laboratory Program is authorized by the DNA Identification Act of 1994 (Public Law 103-322). The Attorney General has assigned responsibility for carrying out the DNA Identification Grants requirements of the Act to the National Institute of Justice. The purpose of the program is to increase, to the greatest extent possible, both the capabilities and capacity of state and local forensic laboratories in the United States to conduct state-of-the-art-DNA testing to support investigation and prosecution of violent crime.

No funds were authorized for this program in 1995. However, NIJ, in consultation with the FBI/NIJ DNA Working Group, developed a solicitation for this program in anticipation of an appropriation in 1996. The solicitation included a current capabilities survey of state and local crime labs, which was submitted for OIG approval in 1995, requirements consistent with the purposes of SEC. 2403 Application Requirements, and other guidelines consistent with SEC. 2404, Administration Provisions of the Act. This solicitation is ready to be issued.

PROGRAM CHANGE : NIJ requests \$3 million in 1997 to establish the DNA Identification Grants Program. This request represents the total amount authorized for this program under the Violent Crime Control and Law Enforcement Act and is \$2 million more than 1996. This increase will allow state efforts to significantly expand over the 1996 program.

TUBERCULOSIS PREVENTION AND TREATMENT IN CORRECTIONAL INSTITUTIONS

MISSION: To assist in establishing and operating programs for the prevention, diagnosis, treatment and follow-up care of tuberculosis among inmates of correctional institutions.

ORGANIZATIONAL GOAL: Make grants to state, Indian tribal and local correction authorities and public health authorities, for up to 50 percent of the total cost, to assist in establishing and operating programs for the prevention, diagnosis, treatment and follow-up care of tuberculosis among inmates of correctional institutions.

7B Prevention and Treatment in Correctional Facilities:

1996 Availability	Amount
1997 Base	\$ 200
1997 Estimate	200
Increase/ Decrease	1,000
	800

BASE PROGRAM DESCRIPTION: This program is authorized by Section 3201 of the Violent Crime Control and Law Enforcement Act of 1994, and authorizes the Attorney General to make grants to state, Indian tribal and local correction authorities and public health authorities, for up to 50 percent of the total cost, to assist in establishing and operating programs for the prevention, diagnosis, treatment and follow-up care of tuberculosis among inmates of correctional institutions. The Bureau of Prisons administers this program and, in consultation with the Secretary of Health and Human Services and the Director of the National Institute of Corrections, developed guidelines for its implementation.

PROGRAM CHANGE: The 1997 request represents the 1997 authorized level and is \$800,000 above the 1996 level. This increase will allow for significant expansion of the program.

FAMILY SUPPORT PROGRAM

MISSION: To assist federal, state, and local law enforcement agencies in developing and implementing policies and programs to reduce stress and provide appropriate support services for law enforcement officers and their families through research, training, technical assistance, and financial support.

ORGANIZATIONAL GOALS:

1. Establish guidelines and oversee the implementation of family-friendly policies within law enforcement-related offices and divisions of the Department of Justice.
2. Study the effects of stress on law enforcement personnel and family well-being and disseminate the findings of such studies to federal, state, and local law enforcement agencies, related organizations, and other interested parties.
3. Identify and evaluate model programs that provide support services to law enforcement personnel and families.
4. Provide technical assistance and training programs related to stress reduction and family support to state and local law enforcement agencies.
5. Collect and disseminate information regarding family support, stress reduction, and psychological services to federal, state and local law enforcement agencies, law enforcement organizations, and other interested entities.

6. Determine issues to be researched by the Department of Justice.
7. Administer the authorized grant program to support provision of one or more of the following services: counseling for law enforcement family members, child care on a 24-hour basis, marital and adolescent support groups, stress reduction programs, and stress education for law enforcement recruits and their families.

Law Enforcement Family Support	
1996 Availability	Amount
1997 Base	\$ 1,000
1997 Estimate	1,000
Increase/ Decrease	2,205
	1,205

BASE PROGRAM DESCRIPTION: The Law Enforcement Family Support section of the Crime Act directs the Attorney General to: 1) establish and implement family friendly policies within law enforcement related offices of the Department of Justice, and 2) support research, program development, and evaluation; training, technical assistance, and support programs; and information dissemination concerning family support, stress reduction, and psychological services to Federal, state, and local law enforcement agencies and related organizations. In 1995, responsibility for developing a guide for research and program development was assigned by the Associate Attorney General to the National Institute of Justice (NIJ).

During 1995, the following was accomplished: To guide subsequent research and program development, NIJ commissioned a review and analysis of state and local assistance, stress reduction, and support services currently available to law enforcement officers and their families. An advisory panel for the project has been formed, including members of organizations representing line officers and organizations representing police managers. The panel recommended that special attention be given to service provision in small agencies. Panel members are reviewing the final report in 1996. With respect to the establishment of DOJ policies, NIJ is in contact with the designated representatives of Office of Investigative Agencies Policy (OIAP) and Justice Management Division (JMD); further meetings are planned with a final report anticipated in July 1996.

In 1996, the Crime Act authorizes \$2.5 million for a state and local grant program with a 10% set-aside for research; \$1 million was provided. The law specifies that grants may be made to state and local law enforcement agencies or to organizations representing state or local law enforcement personnel; given the funding level, the focus will be on demonstration, training and technical assistance in order to reach the greatest number of agencies. 1996 program priorities will be:

- Technical assistance to help agencies with established programs for officers expand services to law enforcement family members
- Expanding stress education for law enforcement recruits and families as an early prevention technique
- Selected demonstrations to expand existing programs and support one or more of the services listed in H4-Section 2103 of the Act.

From the research set-aside of \$250,000, research priorities in 1996 will focus on:

- Identification of the services most needed/desired by officers and their families, with particular attention to the supports needed in the increasing number of families where both partners are law enforcement professionals
- Design of optimal organizational arrangements to promote officers' acceptance and use of services
- Development of feasible and affordable programs for small and rural agencies.

PROGRAM CHALLENGE. The 1997 request of \$3.2 million is \$1.2 million above the 1996 level of \$1 million and \$1.6 below the 1997 authorized level of \$4 million. In 1997 the first program priority will be on the demonstration of three different service delivery models -- e.g., an in-house program, a regional service and referral network, contracted services, etc., focusing on the services identified as most needed through the prior research. Program funds will also support training and technical assistance in two areas: expanding services to law enforcement family members, and establishing programs or service delivery networks for smaller or rural agencies. A dual focus is planned for the research funds (\$400,000). The first is evaluation of the demonstration programs to determine which services and which service delivery mechanisms are most effective and most economical in different agency settings. The second is rigorous research on the extent of spousal and family violence in law enforcement families and on interventions for such violence. Evaluations will also be funded out of the research set-aside. Improved understanding and response on this issue is essential not only for the health of our law enforcement families, but also because sworn officers are so often the first responders to incidents of family violence in the larger community.

MOTOR VEHICLE THEFT PREVENTION

MISSION: To reduce auto thefts committed primarily by professional auto thieves.

ORGANIZATIONAL GOAL: Create a cooperative partnership between car owners and State and local law enforcement to reduce car theft committed by professional auto thieves and to facilitate recovery of stolen vehicles.

Motor Vehicle Theft Prevention:

1996 Availability

1997 Base

1997 Estimate

Increase/ Decrease

Amount
\$ 500
500
1,000
500

BRIEF PROGRAM DESCRIPTION: Title XIII, Motor Vehicle Theft Prevention, of the Violent Crime Control and Law Enforcement Act of 1994 (Public Law 103-323) requires the Attorney General to develop a national, voluntary motor vehicle theft prevention program whereby participating vehicle owners would affix a highly visible decal to their vehicles which authorize State and local law enforcement officers to stop the vehicles without probable cause and verify the identity of the driver. Under the program, police may stop or check a vehicle that is being operated under abnormal circumstances on behalf of the owner as indicated by the

decal. Examples for which police might stop a vehicle include, but are not limited to: driving late at night or parking a vehicle for the night at a location other than the owner's residence.

PROGRAM CHANGE: The 1997 request of \$1 million will allow expansion of 1996 program activities.

ENHANCED PENALTIES FOR TELEMARKETING FRAUD AGAINST SENIOR CITIZENS

MISSION: To reduce the incidence of scams perpetrated against senior citizens.

ORGANIZATIONAL GOAL: Make grants to States, to State and local law enforcement agencies and senior citizen advocacy organizations aimed at decreasing the incidence of fraud perpetrated against senior citizens.

Enhanced Penalties for Telemarketing Fraud:

1996 Availability	Amount
1997 Base	\$ 0
1997 Estimate	0
Increase/ Decrease	2,000
	2,000

BASE PROGRAM DESCRIPTION: This program was authorized by Section 25005 of the Violent Crime Control and Law Enforcement Act of 1994 and allows grants to be made available to State and local law enforcement agencies and senior citizen advocacy organizations for public awareness and prevention initiatives, such as seminars and training targeted at fraud against senior citizens. The Federal Bureau of Investigation's Criminal Division will administer this program and will develop guidelines for its implementation.

PROGRAM CHANGE: The 1997 request restores funding to this program that was sequestered in 1996 and represents the 1997 level authorized by the Violent Crime Control and Law Enforcement Act of 1994.

**PRESIDENTIAL SUMMIT ON VIOLENCE
AND NATIONAL COMMISSION ON CRIME PREVENTION AND CONTROL**

MISSION: To develop a proposal for preventing and controlling violence and crime in the United States and to estimate the costs for implementing such a proposal.

ORGANIZATIONAL GOAL: Convene the Presidential Summit and to establish the Commission with the goal of providing a proposal for preventing and controlling violence and crime in the United States and to estimate the costs for implementing such a proposal.

Presidential Summit:	Amount
1996 Availability	\$ 0
1997 Base	0
1997 Estimate	-500
Increase/ Decrease	500

BASE PROGRAM DESCRIPTION: These two initiatives are authorized in 1996 by Sections 270001 through 270009 of the Violent Crime Control and Law Enforcement Act of 1994. The Summit will be convened prior to the Commission which will be established to create an agenda for the Commission. The purpose of the Commission is to develop a proposal for preventing and controlling violence and crime in the U.S. and to estimate the costs for implementing such a proposal. These initiatives will be organized and administered by the Office of Policy Development.

PROGRAM CHANGE: This request provides funds for establishing the National Commission of Crime Prevention and Control.

TRAINING PROGRAM

MISSION: To enhance the capacity of probation and parole officers and other personnel who work with released sex offenders to manage the cases under their supervision involving this offender population.

CONSTITUTIONAL GOAL: Continue to provide training for probation and parole officers and other personnel who work with released sex offenders.

Training Programs:	Amount
1996 Availability	\$ 2,000
1997 Base	2,000
1997 Estimate	2,000
Increase/ Decrease	0

BASE PROGRAM DESCRIPTION: This program implements Section 40152, "Training Programs," of the Violent Crime Control and Law Enforcement Act of 1994, codified at Section 40152 (42 U.S.C. § 13941) of the Violent Crime Control and Law Enforcement Act of 1994. The program establishes criteria and develops training programs to assist probation and parole officers and other personnel who work with released sex offenders in the areas of case management, supervision, and relapse prevention.

NATIONAL STUDY ON CAMPUS SEXUAL ASSAULT

MISSION: To assist policy and decision-makers at the Federal, State, and local levels of government by providing for the collection, analysis, and publication of statistical information relating to campus sexual assault victimization.

CONSTITUTIONAL GOAL: Examine the scope of the problem of campus sexual assaults and the efforts of postsecondary institutions in addressing this victimization.

National Study on Campus Sexual Assault

1996 Availability	\$ 0
1997 Base	0
1997 Estimate	200
Increase/ Decrease	200

BRIEF PROGRAM DESCRIPTION: A national baseline study will be conducted as required by Section 40506 of the Violent Crime Control and Law Enforcement Act which will collect and analyze statistical data on crime reporting practices of female victims of campus sexual assault, the response of campus and law enforcement authorities, and the efforts of postsecondary institutions to address this problem.

In 1997, \$200,000 is requested to conduct the following data collection activities: (1) the first-ever analysis of data on the management and administration of campus police agencies. A report on these agencies will be prepared covering, among other things, their policies and practices with respect to the recording of crime incidents and the case-processing of such complaints; (2) a survey of college campus administrators, utilizing an institutional sample maintained by the National Center for Education Statistics, to monitor implementation of the Campus Right to Know Act and to describe administrative practices and procedures relating to campus sexual assault; and (3) a supplementary survey questionnaire added to the National Crime Victimization Survey (NCVS) to collect data from victims on the response of the educational institution/law enforcement authorities to the victimization. BJS is currently implementing changes in the NCVS to identify those victims reporting that they were attending a college or university employee by a college/university. The next step in this effort will be to evaluate the feasibility of utilizing the NCVS for estimating the incidence and prevalence of campus sexual assault. Preliminary data indicate that an estimated 1.4% of NCVS household interviews are taking place in college/university housing.

This study is essential in filling the gap of knowledge that currently exists on campus sexual assault victimization. Upon review of the available research literature describing the nature and prevalence of campus sexual assault/victimization against women, BJS has determined that these studies focus exclusively on student victims with no known research available to describe the victimization of employees and visitors. Generally, the student studies reveal widely disparate estimates of the prevalence of unwanted, forced or coerced sexual intercourse. The types of incidents in these studies cover the range from forcible rapes to coerced sexual contact and the offenders cited by victims ranging from strangers to acquaintances and dates.

GANG INVESTIGATION COORDINATION AND INFORMATION COLLECTION

MISSION: To coordinate gang-related investigations by Federal law enforcement agencies.

ORGANIZATIONAL GOALS: Develop national strategy to coordinate gang-related investigations by Federal law enforcement agencies.

Gang Investigation and Coordination of Information:

1996 Availability	Amount
1997 Base	\$1,000
1997 Estimate	1,000
Increase/ Decrease	- 1,000

BRIEF PROGRAM DESCRIPTION: The VCCLEA authorized the Attorney General, in consultation with the Secretary of the Treasury, to develop a national strategy to coordinate gang-related investigations by Federal law enforcement agencies. The Federal Bureau of Investigation will collect information on incidents of gang violence for inclusion in an annual crime report for presentation to the President and the Congress by January 1, 1996.

PROGRAM CHANGE: There are no funds authorized or requested for this program in 1997.

TECHNICAL AUTOMATION IMPROVEMENTS

MISSION: To improve criminal justice agency efficiency through computerized automation and technological improvements.

ORGANIZATIONAL GOALS:

1. Make grants to State, Indian tribal, and local criminal justice agencies to improve technology and automation.
2. Provide State, Indian tribal, and local criminal justice agencies with state-of-the-art information on innovative and effective automation programs and technological improvements.
3. Assess the impact of program activities on the drug and crime problems and the criminal justice system.

Technical Automation Improvement:

1996 Availability	Amount
1997 Base	\$ 9,000
1997 Estimate	9,000
Increase/ Decrease	- 9,000

BRIEF PROGRAM DESCRIPTION: The Attorney General is authorized by the Violent Crime Control and Law Enforcement Act of 1994 to make grants to State, Indian tribal, and local criminal justice agencies, and to nonprofit organizations for the purpose of improving criminal justice agency efficiency through computerized automation and technological improvements. Grants may be made to:

- o Increase the use of mobile digital terminals

- o Improve communications systems, such as computer-aided dispatch and incident reporting systems
- o Accomplish paper-flow reduction
- o Establish or improve ballistics identification programs
- o Increase the application of automated fingerprint identification systems and their communications on an interstate and intrastate basis
- o Improve computerized collection of criminal records.

Grant funds may not be used to implement any cryptographic or digital telephony programs. This program would be administered by the Bureau of Justice Assistance (BJA) under the authority of the Attorney General.

PROGRAM CHANGE: The Office of Justice Programs recommends the elimination of this program, a decrease of \$9 million from the 1996 budget request. This program duplicates activities supported by the following existing programs:

- o The National Institute of Justice operates the National Law Enforcement Technology Center and five regional centers that identify law enforcement and criminal justice requirements for new technologies, and develop new technologies and new applications for existing technologies to improve policing and corrections.
- o The Public Safety and Community Policing (COPS) Program authorizes up to 20 percent of available funds to be used for equipment, technology, and support systems.
- o The Brady Handgun Violence Prevention Act provides funding for the improvement of criminal history records.

STATE DATABASES STUDY

MISSION: To assist the states and the nation in collecting centralized databases on the incidence of sexual and domestic violence offenses within a state.

OPERATIONAL GOALS:

1. Build on the consultations and the report generated by these consultations.
2. Further the recommendations on how the states may collect centralized databases on the incidence of sexual and domestic violence offenses. These activities may include further consultation with experts, the development of a model state system, or further development of the integration of existing data systems.

State Data Bases:	Amount
1996 Availability	\$ 200
1997 Base	200
1997 Estimate	<u>0</u>
Increase/ Decrease	- 200

BASE PROGRAM DESCRIPTION: The Violence Against Women Act passed as part of the Violent Crime Control and Law Enforcement Act of 1994 directs the Attorney General to study and report to the states and to Congress on how the states may collect centralized data bases on the incidence of sexual and domestic violence offenses within a state.

In 1995, NIJ commissioned a study to determine the feasibility of establishing centralized data bases on the incidence of domestic violence offenses. In addressing this mandate, the grantees has created a task force to examine the issues involved in establishing centralized data bases, and to poll the state Statistical Analysis Center (SAC) directors regarding information available in their states. The task force is comprised of representatives from Federal, state, and local law enforcement, SAC Directors, domestic violence and sexual assault victim services/advocacy organizations, and relevant federal programs with responsibilities under the Violence Against Women Act. In 1996, NIJ will issue a solicitation to support the development of a model state system based on the recommendations of the task force and the availability of funds.

PROGRAM CHANGE: There are no funds authorized or requested for this program in 1997.

Office of Justice Programs
Violent Crime Reduction Program
Government Performance and Results Act

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PERFORMANCE MEASUREMENT TABLE: PRESENTED BY DECISION UNIT

NAME OF DECISION UNIT: Edward Byrne Memorial State and Local Law Enforcement Assistance Formula Grant Program							
PERFORMANCE INDICATOR INFORMATION		PERFORMANCE TARGETS AND ACTUAL RESULTS					
Type of Indicator	Performance Indicator	1993 Actual	1994 Actual	1995		1996 Target	1997 Target
				Target	Actual		
	Input						
	Output/Activity						
	1. Number of applications received	56	56	56	56	56	56
	2. Number of applications reviewed	56	56	56	56	56	56
	3. Number of awards made	56	121	113	113	108	108
Intermediate Outcomes							
	4. Number of States (Administrative Agency (SAA)) Personnel trained on submission of applications	64	0	165	164	164	164
	5. Number of SAA personnel provided the opportunity to participate in annual conference, workshops, etc. related to criminal justice issues	168	196	224	175	224	224
	6. Number of technical assistance responses to requests from SAAs	100	100	100	88	118	200
	7. Number of on-site monitoring visits to States	44	29	35	27	35	35
	8. Number of States in compliance with HEY mandates	N/A	47	56	52	56	56
	9. Number of States with approved criminal justice record improvement plans	26	-40	56	50	56	56
	10. Number of States with approved phase I plans for reporting alien convictions to DHS	49	53	54	53	54	54
	11. Number of States with approved phase II plans for reporting alien convictions to DHS	27	35	54	46	54	54
	12. Number of States with formal evaluation programs in place	N/A	N/A	N/A	54	56	56
	13. Number of subgrants evaluated and reports submitted	N/A	N/A	N/A	120	150	150
	14. Number of new program levels submitted to S/A	112	168	280	280	280	280
End Outcome							
	15. Number of States that implemented programs to address National Priorities: - Community Based Programs - Crime and Violence Prevention - Alternative Disposition/ Approaches - Intergovernmental Coordination Initiatives	31	55	56	39	56	56
	16. Number of students receiving DARE or other prevention training	55	55	56	56	56	56
	17. Number of students receiving DARE or other prevention training	44	50	56	30	56	56
	18. Number of interjurisdictional task forces	51	56	56	56	56	56
	19. Number of offenders receiving drug treatment services	-	1042	N/A	21,000	30,000	30,000
	20. Number of States in compliance with Criminal Justice Records Improvement Program goals	800	123,000	100,000	100,000	90,000	90,000
	21. Number of States in compliance with Criminal Justice Records Improvement Program goals	0	0	0	0	2	10

Productivity/ Efficiency	21. Number of those applications approved by BIA within the 45 day review period	22. Proportion of funds awarded by BIA within: - First year after award - Second year after award - Third year after award - Fourth year after award	23. Number of those awards awarded by BIA	24. Number of those awards awarded by BIA	25. Number of those awards awarded by BIA	26. Number of those awards awarded by BIA	27. Number of those awards awarded by BIA	28. Number of those awards awarded by BIA	29. Number of those awards awarded by BIA	30. Number of those awards awarded by BIA
A. Definitions of Terms or Explanations for Indicators										
#1 Under 1994 - implemented awards were made due to BIA meeting late compliance and distribution of funds from states not in compliance with RTV requirements.										
#6 Includes projects co-sponsored by U.S. Attorney.										
#14811 CNAI and American Samoa are exempt from the DNR requirement.										
#13, 16, 18, & 19 Information is estimated based on the number of programs funded at the state level, plus workshop results for #13.										
#19 Individualized task forces should be generating their awards over time due to the re-funding of those programs on higher-level offenders, as well as the operational nature of many of the award efforts.										
#20 The purpose of the Criminal Justice Records Improvement Program is to serve States in the grant field, the underlying premise being that no State's records could meet the time of currency, accuracy, and completeness at the 95% rate until after 1997.										
B. Factors Affecting FY 93 Program Performance										
NA										
C. Factors Affecting Indicators of FY 94 and FY 95 Targets										
<ul style="list-style-type: none"> A substantial training effort for BIA personnel awarded in 1995 should increase several intermediate outcomes and end outcome figures. Increasing resources by BIA with utilizing CBIH on-site and other State and Federal funds for criminal history records improvement should rapidly increase the number of states in compliance with both CBIH goals and DNR phase II compliance. As more States project results closer to meeting CBIH goals expressed in the legislation, BIA will institute more detailed performance indicators for this requirement. Legal and policy interpretations concerning program requirements and changes in National priorities may lead to expansion or contraction of the end outcome indicators used; intermediate outcomes should remain the same. 										

PERFORMANCE MEASUREMENT TABLE: PRESENTED BY DECISION UNIT

NAME OF DECISION UNIT: Edward Byrne Memorial State and Local Law Enforcement Assistance Discretionary Grant Program										
PERFORMANCE INDICATOR INFORMATION		PERFORMANCE TARGETS AND ACTUAL RESULTS								
Type of Indicator	Performance Indicator	1993 Actual	1994 Actual	1995		1996 Target	1997 Target			
				Target	Actual					
Input	1. Number of applications received	280	390	400	400	250	600			
Output/Activity	2. Number of applications reviewed	280	390	400	400	250	600			
	3. Number of peer panels conducted	8	26	15	7	10	45			
	4. Number of awards made	179	175	175	175	125	220			
Intermediate Outcomes	5. Number of monitoring site visits made	100	108	110	110	100	180			
	6. Number of cluster conferences held	8	10	10	10	10	10			
End Outcome	7. Number of practitioners trained	17,000	9,000	9,000	9,000	9,000	9,000			
	8. Number of practitioners receiving technical assistance	250	500	500	500	500	500			
	9. Number of program models/prototypes developed	11	3	9	9	8	15			
	10. Number of new publications	20	50	60	60	60	80			
	11. Number of publications distributed	200,000	460,000	430,000	417,000	430,000	500,000			
	12. Number of training materials developed	3	3	3	3	3	5			
	13. Number of formula grant projects funded to replicate discretionary grant programs	600	800	1,000	1,000	1,200	1,500			
Productivity/Efficiency	14. Average staff hours per grant award	80	80	60	60	40	20			
	15. Average number of grants per program manager	20	20	20	20	15	10			
	16. Average number of staff hours per grant devoted to monitoring	20	20	20	20	30	50			
A. Definitions of Terms or Explanations for Indicators:										
NA										
B. Factors Affecting FY 95 Program Performance:										
o The 1995 grant awards are in the process of being made. The estimates may change as awards are made. o End outcome for the Discretionary Grant Program such as program models of training curricula may take several years to develop. Therefore, the number per year will vary. o The number of practitioners will vary from year to year depending on the funds allocated for training and the type of training conducted.										

- The targets for 1996 and 1997 may change as a result of Omp national consultation of the funds for specific programs.
- The number of applicants involved and the number of grants approved are expected to increase in 1996 and 1997 because of a new BIA policy which will provide a decreasing Federal share for the same amount of funding.
- The number of employees involved and the number of grants awarded will also significantly diminish the funds available for new competitive programs and thereby decrease BIA's competing activities substantially.
- A large number of full time grant staff are expected to discontinue and the average number of staff hours devoted to monitoring is expected to increase as BIA increases the grant award process, seeking and resources to be devoted to program monitoring and individual assistance.
- But concerns for the Entrepreneurial Grant Program made us program models or training materials may vary from year to year depending upon the funds allocated from training and the type of training conducted.

PERFORMANCE MEASUREMENT TABLE: PRESENTED BY DECISION UNIT

NAME OF DECISION UNIT: Criminal Record Upgrade		PERFORMANCE TARGETS AND ACTUAL RESULTS									
Type of Indicator	Performance Indicators	1991 Actual	1994 Actual	1995 Target	1995 Actual	1996 Target	1996 Actual	1997 Target	1997 Actual	1998 Target	1998 Actual
Output/Activity	1. Interagency coordination conferences to provide training and Federal/state interface re development of the national criminal history record system. 2. Technical assistance review completed and results published. 3. Technical assistance provided. 4. On-site visits. 5. Identify status of Brady process in states. 6. Awards made to assist states. 7. Evaluation activity re CHR improvement in states.	1	1	1	1	2	2	2	2	2	2
Information/Outcome	1. Number of states in Interstate Identification Index (III). 2. % of states with complete identification. 3. % of recent state records which are interrelated.	n/a	n/a	50	50	55	55	55	55	55	55
Productivity/Efficiency		n/a	n/a	75%	75%	75%	75%	75%	75%	75%	75%
A. Definitions of Terms or Explanations for Indicators:											
B. Factors Affecting FY 95 Program Performance:											
In 1994, 44 states were awarded grants under this program. As of November 30, 1994, a total of 47 states have received grants. Applications are currently being processed for New Jersey, New Hampshire, Maryland, and the District of Columbia; results in these states will be made using 1995 funds by early 1996. During the fiscal year, based on an examination of technical assistance needs, it was determined that technical assistance in the form of on-site visits were more effective than conducting a manual workshop in providing direct support to address the specific issues raised by particular states. Although only estimating the need for 3 on-site visits, BJS provided technical assistance on 10 occasions.											

C. Factors Affecting Selection of FY 96 and FY Target. Factors affecting program performance include: (1) amount of Federal funds appropriated; (2) amount of state funds appropriated for these activities; (3) nature of available technology; (4) FBI program development; and (5) legislative changes.

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PERFORMANCE MEASUREMENT TABLE PRESENTED BY DECISION UNIT

NAME OF DECISION UNIT: Correctional Facilities Grants										
PERFORMANCE INDICATOR INFORMATION			PERFORMANCE TARGETS AND ACTUAL RESULTS							
Type of Indicator	Indicator	1994 Actual	1995 Target	1995 Actual	1996 Target	1996 Actual	1997 Target	1997 Actual	1998 Target	1998 Actual
Input	1. Number of applications received	N/A	N/A	80	91	80	91	80	91	80
	2. Number of requests for on-site or local technical assistance received from State or local jurisdictions/projects	N/A	N/A	30	44	30	44	30	44	30
	3. Number of applications reviewed	N/A	N/A	80	91	80	91	80	91	80
	4. Number of awards made	N/A	N/A	30	44	30	44	30	44	30
	5. Number of technical assistance workshops and national technical assistance conferences for grantees	N/A	N/A	1	1	1	1	1	1	1
	6. Number of on-site or local site technical assistance requests	N/A	N/A	30	44	30	44	30	44	30
Output/Activity	7. Number of boot camp beds constructed/reconstructed	N/A	N/A	300	300	300	300	300	300	300
	8. Number of states that have passed truth in sentencing laws	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A
	9. Number of new prisons, jails or alternative beds constructed	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A
	10. Number of policy makers or practitioners that received technical assistance or training	N/A	N/A	250	250	250	250	250	250	250
	11. Average percent of persons convicted of past violent offenses in State courts who were sentenced to prison	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A
	12. Average percent of total sentence served by past violent offenders	N/A	N/A	51%	51%	51%	51%	51%	51%	51%
End Outcome										
Productivity/Efficiency	13. Workdays required to implement grant program	N/A	N/A	9 FTE	9 FTE	9 FTE	9 FTE	9 FTE	9 FTE	9 FTE
A. Definitions of Terms or Explanations for Indicators:										
B. Factors Affecting 1995 Program Performance:										
This 1994 funds were distributed, and many funded a boot camp planning, construction, and construction. Funds awarded were made late in the fiscal year, and new boot camp beds were brought on line in 1995. Because of the time needed to reconstruct and construct boot camp beds, it is assumed that the boot camps being constructed will open in 1996 and that the newly constructed beds will open in 1997. For the grants that were awarded late in 1995, on-site and local site technical assistance are available in 1996.										
C. Factors Affecting Selection of 1996 and 1997 Targets:										

Changes in reported income differentials in the program demands and requirements in 1996. An estimate of the number of those with both a relatively low amount to be estimated and the obligation to file is substantially reduced by statute. As estimates of the percent of persons marketed of part 1 relative others who are estimated to have amount to be estimated will be calculated by the State in their application for launch.

Because of the new market to estimate new persons and full both, it is assumed that no new both will be brought on line in 1996 and that a portion of the both reported in the both 1995 launch will be in 1997.

PERFORMANCE MEASUREMENT TABLE PRESENTED BY DECISION UNIT

NAME OF DECISION UNIT: Drug Courts Program		PERFORMANCE TARGETS AND ACTUAL RESULTS									
Type of Indicator	Performance Indicator	1993 Actual	1994 Actual	1995 Target	1996 Actual	1997 Target	1998 Actual	1999 Target	2000 Actual	2001 Target	2002 Actual
Input	1. Total number of applications received. 2. Program specifications to prepare for and monitor grants. 3. Policy Administration to guide the whole program effort.	NA	NA	150	150	250	150	250	4 FTE	7 FTE	2 FTE
Output/Activity	4. Award planning grant, including awards to tribal courts. 5. Award implementation grant. 6. Award follow-up grant.	NA	NA	100	100	100	100	100	100	100	100
Intermediate Outcome	7. Provide Training Assistance for Courts. 8. Provide special training sessions for tribal applicants. 9. Provide Technical Support and Expertise to Courts. 10. Conduct and exchange information with other federal agencies.	NA	NA	1	1	1	1	1	1	1	1
End Outcome	11. Establish new drug courts, including tribal drug courts. 12. Establish Cooperative programs with other federal agencies.	NA	NA	10	10	25	25	25	25	25	25
Productivity/Efficiency	13. Number of grants per FTE.	NA	NA	13	16	41	16	41	16	41	24
A. Definitions of Terms or Explanations for Indicators. Clarify potentially confusing terms. Assume a low level of familiarity with your program.											
B. Factors Affecting FY 99 Program Performance. Describe reasons for any significant differences between target levels of performance and estimates of actual performance, whether positive or negative.											
<p>*Four planning grant workshops were held using 1995 funds, as well as a special grant conference for tribal groups. In addition, technical assistance was provided to all 1995 grantees who requested it. Information exchange is ongoing with Health and Human Services, Social Security Administration, State Justice Building, United States Administrative Office of the Courts, and the Office of National Drug Control Policy.</p> <p>**The community-based drug courts will be started as a result of the 1995 grant program will be the first jurisdiction that received implementation grants for non-tribal offenders. Most of the grant money will be used for the first year of the program. The grant money will be used for the first year of the program. The grant money will be used for the first year of the program.</p> <p>***The Drug Courts Program Office established cooperative programs with ONDCP and Center for Substance Abuse Treatment (CSAT). 1995 was more than half over when the Drug Courts Program Office was fully staffed. Less than two months of the fiscal year remained when the final appropriations for the program was decided upon. These factors affected the ability of the office to meet targets.</p>											
C. Factors Affecting Selection of FY 94 and FY Targets. Provide information on the selection of target levels of performance, where necessary. The amount of support actually appropriated can obviously affect the targets. Targets based on statutory authorization.											

<p>1996 Congressional approval, a small amount of money was allocated for technical assistance and training to enhance the allocation of funds at the State level. In addition, the Act requires that the program be evaluated, so limited funds also were allocated for evaluation purposes.</p> <p>**The funds allocated for this program, combined with the timing of the seventh and eighth technical assistance workshops to be completed in 1995. The remaining two technical assistance site visits will be held in 1996.</p> <p>***The timing of the seventh and eighth workshops provided the delivery of the planned conference and regional technical assistance workshops in 1995. The Indian grantee's meeting was held in November 1995. The following workshops also will be offered in 1996.</p> <p>****This is an estimate. States were not required to submit their implementation plans until early October, and many States will not send their subgrantees until sometime in 1996, so it will not be possible to determine how many fully achieved their goals until later in 1996.</p> <p>*****These activities were much higher priorities for the tribes than staff anticipated.</p>	<p>C. Future Affecting Estimates of 1996 and 1997 Targets. Provide information on the selection of target levels of performance, where necessary.</p> <p>***The amount authorized for this program increases dramatically between 1995 and 1996/1997. The targets provided here are based on essentially the same program design implemented in 1995; however, the design may change based on the results of the 1995 projects. The 1996 and 1997 targets may change as well.</p>
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NAME OF DEVISION UNIT: <i>Emergency Arrest Policies</i>		PERFORMANCE TARGETS AND ACTUAL RESULTS					
Type of Indicator	Performance Indicator	1993 Actual	1994 Actual	1995 Target	1996 Actual	1997 Target	1998 Actual
Report	1. Arrest grants to eligible States, Indian tribal governments, and units of local government to implement mandatory or pre-arrest programs in public departments.	N/A	N/A	N/A	N/A	N/A	52864
Output/ Activity	2. Number of demonstration the included evidence workshops and national included evidence conference for grants	N/A	N/A	N/A	N/A	91	91
Intermediate Outcome	3. Number of grants that implement mandatory or pre-arrest programs as part of a coordinated response to violence against women	N/A	N/A	N/A	N/A	79*	79*
End Outcome	4. Number of grants that report a decrease in the number of domestic violence calls to a level of mandatory or pre-arrest - upsurge	N/A	N/A	N/A	N/A	36	36
Productivity/ Efficiency	5. Workdays required to implement grant program	N/A	N/A	N/A	N/A	5.3 FTE	5.3 FTE
<p><i>A. Indicators of Terms of Evaluation for Indicators. Clearly identify conflicting items. Assign a low level of flexibility only when warranted.</i></p> <p>Performance indicators are likely to change, since the program regulations have not been finalized and only preliminary work has been done on the program design.</p> <p>*Field number of pre-arrest grants</p>							
<p><i>B. Program Activities 1996 Program Performance. Possible reasons for any significant differences between target levels of performance and objectives of overall performance, whether positive or negative.</i></p>							
<p><i>C. Program Activity Indicators of 1995 and 1997 Targets. Provide information on the selection of target levels of performance, when appropriate.</i></p> <p>Only preliminary work on the design of the program has been done to date, so the target levels of performance for 1996 and 1997 are likely to change.</p>							

PERFORMANCE MEASUREMENT SAMPLE: PRESENTED BY DECISION UNIT

NAME OF DECISION UNIT: Rural Domestic Violence Enforcement									
PERFORMANCE INDICATOR INFORMATION		PERFORMANCE TARGETS AND ACTUAL RESULTS							
Type of Indicator	Indicator	1993 Actual	1994 Actual	1995 Target	1996 Actual	1997 Target	1997 Actual		
Input	Performance Indicators								
	1. Award grants to eligible States, Indian tribal governments, and units of local government to implement coordinated response to domestic violence and child abuse in rural States and jurisdictions	N/A	N/A	N/A	N/A	\$7M	\$8M		
Output/Activity	2. Number of demonstration sites included in the technical assistance workshops and national studies of evidence-based practices for grantees	N/A	N/A	N/A	N/A	4/1	4/1		
Intermediate Outcome	3. Number of jurisdictions that reported access to services to previously underserved populations in rural communities	N/A	N/A	N/A	N/A	50	50		
End Outcome	4. Number of jurisdictions that report an improved response to domestic violence and child abuse after as a result of a more comprehensive array of services	N/A	N/A	N/A	N/A	50	50		
Productivity/Efficiency	5. Workyears required to implement grant program	N/A	N/A	N/A	N/A	3.3 FTE	3.3 FTE		
A. Definitions of Terms or Explanations for Indicators: Clarify potentially confusing terms. Assume a low level of familiarity with your program.									
Performance indicators are likely to change, since only preliminary work has been done on the program design to date.									
* Total number of projected grantees									
B. Factors Affecting 1995 Program Performance. Do cite reasons for any significant differences between target levels of performance and estimates of actual performance, whether positive or negative.									
C. Factors Affecting Selection of 1996 and 1997 Targets. Provide information on the selection of target levels of performance, where necessary.									
Only positive -> work on the design of the program has been done to date, so the target levels of performance for 1996 and 1997 are likely to change.									

PERFORMANCE MEASUREMENT TABLE: PRESENTED BY DECISION UNIT

NAME OF DECISION UNIT: Training Program		PERFORMANCE TARGETS AND ACTUAL RESULTS						
Type of Indicator	Performance Indicator Information	1992 Actual	1994 Actual	1995 Target	1995 Actual	1996 Target	1997 Target	
Input	Performance Indicators: 1. Award contract to national organization to develop and deliver a comprehensive training program addressing the unique responsibilities of supervising and managing cases involving released sex offenders.	N/A	N/A	N/A	N/A	\$1M	\$1M	
Output/Activity	2. Number of regional workshops offered for probation and parole officers.	N/A	N/A	N/A	N/A	8	8	
Intermediate Outcome	3. Number of probation and parole officers that participate in training.	N/A	N/A	N/A	N/A	330	320	
End Outcome	4. Number of jurisdictions that implement new policies and procedures to improve and manage cases involving released sex offenders as a result of the training.	N/A	N/A	N/A	N/A	100	100	
Productivity/Efficiency	5. Workyears required to implement grant program.	N/A	N/A	N/A	N/A	75 FTE	75 FTE	
A. Definitions of Terms or Explanations for Indicators: Clarify potentially confusing terms. Assume a low level of familiarity with your program.								
Only preliminary work has been done on the design of the training program. Therefore, performance indicators are likely to change.								
B. Factors Affecting 1995 Program Performance: Describe reasons for any significant difference between target levels of performance and admission of actual performance, whether positive or negative.								
C. Factors Affecting Selection of 1996 and 1997 Targets: Provide information on the selection of target levels of performance, when necessary.								
Only preliminary work on the design of the training program has been done to date, so the target levels of performance for 1996 and 1997 are likely to change.								

PERFORMANCE MEASUREMENT TABLE: PRESENTED BY DECISION UNIT

NAME OF DECISION UNIT: State Criminal Alien Assistance Program		PERFORMANCE TARGETS AND ACTUAL RESULTS			
Type of Indicator	Performance Indicators	PERFORMANCE TARGETS AND ACTUAL RESULTS			
		1993 Actual	1994 Actual	1995 Target	1997 Target
Input	1. Number of applications received	NA	NA	40	400
Output/Activity	2. Number of applications reviewed	NA	NA	40	400
	3. Number of events made	NA	NA	40	400
End Outcome	4. Number of illegal criminal aliens for which reimbursement is made	NA	NA	31,000	40,000
	5. Number of illegal criminal aliens transferred to INS	NA	NA	Unknown	Unknown
	6. Number of illegal criminal aliens transferred immediately upon conviction to Federal correctional institutions demanding the need for reimbursement	NA	NA	Unknown	Unknown
Productivity/Efficiency	7. Percent of total illegal incarcerated criminal aliens for which reimbursement is made for which n-100 verifications were required	NA	NA	NA	Unknown
A. Definitions of Terms or Explanations for Indicators:					
<ul style="list-style-type: none"> Indicators 1 and 2 are measures of INS performance. Indicator 1 is a measure of INS and DOJ performance. The need for media verifications should decrease as States work more closely and surface with INS and as INS staff and resources increase. The number of illegal criminal aliens transferred immediately to Federal correctional institutions should increase as INS staff and resources increase. 					
B. Factors Affecting FY 93 Program Performance:					
<ul style="list-style-type: none"> Since this program is new in 1993 and information on the number of illegal criminal aliens held in State and local facilities is extremely limited, the numbers are rough estimates which will be revised as more information becomes available. The estimates for the number of applications received are based on the number of applications received in 1993, but that local jurisdictions will be eligible for reimbursement in 1994 and beyond. The estimates for 1994 and 1997 assume that 75% of States and counties with populations of 100,000 or more will apply for reimbursement. Media verification could not be utilized due to resource constraints. 					
C. Factors Affecting Selection of FY 96 and 97 Targets:					
<ul style="list-style-type: none"> Since this program is new in 1993 and information on the number of illegal criminal aliens held in State and local facilities is extremely limited, the numbers are rough estimates which will be revised as more information becomes available. The estimates for the number of applications received are based on the number of applications received in 1993, but that local jurisdictions will be eligible for reimbursement in 1994 and beyond. The estimates for 1994 and 1997 assume that 75% of States and counties with populations of 100,000 or more will apply for reimbursement. 					

C. Factors Affecting Selection of FY 96 and 97 Targets. Provide information on the selection of target levels of performance, where necessary.

NAME OF DECISION UNIT: Court Appointed Special Advocates Program		PERFORMANCE INDICATOR INFORMATION				PERFORMANCE TARGETS AND ACTUAL RESULTS				
Type of Indicator	Performance Indicator	1993 Actual	1994 Actual	Target	1995 Actual	1996 Target	1997 Target			
Input	1. Appropriation	234	\$4,114	\$634	\$634	\$634	\$634			
	2. Applications received and funded	195	203	210	310	310	310			
	3. Applications avoided									
Output/Activity	4. Issuance of program guidelines by grantees	38	72	75	75	75	75			
	5. Development/improvement of court curriculum	1	1	1	1	1	1			
	6. Number of collaborative events sponsored or supported	1	1	1	1	1	1			
Intermediate Outcome	7. Number of functioning state wide rule	79	84	88	44	92	97			
	8. Number of training conferences conducted	72	114	100	50	50	108			
	9. Number of training conferences conducted	1	1	1	1	1	1			
	10. Number of training materials disseminated	1,051	4,893	4,000	774	4,000	4,000			
	11. Number of membership services provided	182,559	188,445	180,000	80,000	170,000	170,000			
	12. Percentage of Youth Assigned CASA's									
End Outcome	13. Number of children served	116,000	128,000	140,800	128,000	154,880	170,448			
	14. Number of jurisdictions served	576	615	653	700	691	729			
	15. Number of local CASA programs	549	586	623	610	658	684			
	16. Number of local CASA programs	37	31	23	18	25	21			
	17. Number of training conferences provided	37	31	23	18	25	21			
	18. Number of CASA volunteers recruited	33,000	37,000	40,700	44,770	49,247	49,247			
	19. Number of documents disseminated	61,084	57,718	58,000	49,954	60,000	63,945			
	20. Number of Full-Time-Equivalents used on grant activities	6.1 FTE	8.3 FTE	8.0 FTE	5 FTE	5 FTE	5 FTE			
Productivity/Efficiency	21. Number of Full-Time-Equivalents used on coordination/collaboration	3.3 FTE	3.3 FTE	2.9 FTE	4 FTE	4 FTE	4 FTE			
	22. Number of Full-Time-Equivalents used for delivering technical assistance	4.0 FTE	3.4 FTE	4.1 FTE	1 FTE	1 FTE	1 FTE			
<p>A. Definitions of Terms or Explanations for Indicators: Clearly potentially conflicting terms. Assume a low level of familiarity with your program.</p> <p>a5 Chapter 3 of core curriculum, developed in 1990, as revised in 1994 and distributed to all members.</p> <p>#19, 20, 21 reflect OJDSP staff only. All other data represents the workload activities the National CASA Association is able to provide to state and local CASA affiliates with the OJDSP's CASA grant.</p> <p>B. Factors Affecting FY 95 Program Performance. Describe reasons for any significant differences between target levels of performance and estimates of actual performance; whether positive or negative.</p> <p>C. Factors Affecting Selection of FY 96 and 97 Targets. Provide information on the selection of target levels of performance, where necessary.</p>										

PERFORMANCE MEASUREMENT TABLE: PRESENTED BY DECISION UNIT

NAME OF DECISION UNIT: Closed Circuit Televising of Child Victims of Abuse									
PERFORMANCE INDICATOR INFORMATION		PERFORMANCE TARGETS AND ACTUAL RESULTS							
Type of Indicator	Performance Indicators	1993 Actual	1994 Actual	1995		1996 Target	1997 Target		
				Target	Actual				
Input	1. Number of applications received	26	0	0	0	Unknown	Unknown		
Output/Activity	2. Number of awards made	26	0	0	0	Unknown	Unknown	5-10	
Intermediate Outcome	3. Number of agencies monitored on-site	0	2	3	3	Unknown	Unknown		
End Outcome	4. Number of state personnel trained in use of CCTV equipment	—	—	—	—	Unknown	Unknown		
	5. Number of cases in which CCTV equipment or personnel trained under this program have been utilized/involvement	—	—	—	—	Unknown	Unknown		
Productivity/Efficiency	6. Number of states establishing CCTV units serving more than one jurisdiction	20	3	1	1	Unknown	Unknown		
A. Definitions of Terms or Explanations for Indicators									
o Program was funded in 1992, but awards were not made until 1993. Except for awards, numbers are estimates, a final audit of the formula program is underway, which will allow updated numbers by the time of the next report.									
o Program was modified by the 1994 Crime Act from a formula to a discretionary grant program.									
B. Factors Affecting FY 95 Program Performance									
o While there were no new awards in 1993 (no funds were appropriated), there were some on-site monitoring and some additional extensions of time given to grantees to use funds already awarded.									
C. Factors Affecting Selection of FY 95 and 97 Targets									
o The 1994 Conference Bill provides \$10,000 for CCTV. Based on this, it is unknown how many grants can be made. In 1997, the request for CCTV is \$150,000. At this funding level it is expected that 5 to 10 awards can be made to eligible states. Other results remain unknown, as new program criteria is being developed.									

PERFORMANCE MEASUREMENT TABLE: PRESENTED BY DECISION UNIT

NAME OF DECISION UNIT: Mining Abatement Facilities		PERFORMANCE TARGETS AND ACTUAL RESULTS									
Type of Indicator	Performance Indicator	1993		1994		1995		1996		1997	
		Actual	Target	Actual	Target	Actual	Target	Actual	Target	Actual	Target
Input	1. Appropriation	\$4,000		\$4,000		\$7,000		\$7,000		\$8,000	
	2. Operations received and grant awarded	1		1		1		1		1	
Output	3. Disbursements on Self Rating Program	—		—		300,000		150,000		375,000	
Activity	4. Number of monitoring site visits	1		1		1		1		1	
Outcome	5. Number of Self Rating related calls	543		2,638		3,500		4,543		5,000	
	6. Number of Self Rating Inspections	3,164		6,140		13,000		18,877		19,000	
	7. Mining Abatement Program completed	50		127		150		186		175	
Priority/Weight	8. Average staff time on grant activity	.15		.15		.15		.15		.15	
A. Indicators of Trends or Benchmarks for Indicators: Clarify periodically, including trends. Assume a low level of familiarity with your programs.											
B. Factors Affecting FY 96 Program Performance: Describe reasons for any significant differences between target levels of performance and estimates of actual performance, whether positive or negative.											
C. Factors Affecting Subtotals of FY 94 and FY Targets: Provide information on the subtotals of target levels of performance, where necessary.											

PERFORMANCE MEASUREMENT TABLE: PRESENTED BY DECISION UNIT

NAME OF DECISION UNIT: State Court Assistance		PERFORMANCE TARGETS AND ACTUAL RESULTS						
Type of Indicator	Performance Indicator	1993		1994		1995		1997 Target
		Actual	Target	Actual	Target	Actual	Target	
Input	1. Number of applications received	0	0	0	0	0	0	1,400
Output/Activity	2. Number of applications reviewed	0	0	0	0	0	0	1,400
	3. Number of cases filed or prosecuted	0	0	0	0	0	0	140
	4. Number of arrests made	0	0	0	0	0	0	140
Intermediate Outcomes	5. Number of monitoring site visits made	0	0	0	0	0	0	37
	6. Number of citizen conferences held	0	0	0	0	0	0	—
End Outcomes	7. Number of court personnel hired by project site	0	0	0	0	0	0	1,025
	8. Number of cases filed in project jurisdictions	0	0	0	0	0	0	12,100
	9. Number of cases disposed in project jurisdictions	0	0	0	0	0	0	1,115
	10. Number of cases disposed in project jurisdictions	0	0	0	0	0	0	1,200
	11. Number of pending cases in project jurisdictions	0	0	0	0	0	0	3,750
Productivity/Efficiency	12. Average R/A and hours per grant award	0	0	0	0	0	0	29
	13. Average number of cases per grant award	0	0	0	0	0	0	23
	14. Average time from filing to case disposition (months)	0	0	0	0	0	0	5
A. Definitions of Terms or Explanations for Indicators								
NA								
B. Factors Affecting FY 95 Program Performance								
NA								
C. Factors Affecting Selection of FY 94 and 97 Targets								
End outcome performance targets reflect estimates for FY 94. Pooled with State Court Assistance Discretionary Funds. Estimates are based on past performance of similar projects.								
Factors affecting selection for 1997 targets: Sites should show capacity for multi-disciplinary projects.								
Most grant awards for a fiscal year will be made toward the end of the year. Therefore, they will not be monitored until the following year.								

PERFORMANCE MEASUREMENT TABLE PRESENTED BY DECISION UNIT

NAME OF DECISION UNIT: Ambassadors for Endangered and At-Risk Youth		PERFORMANCE TARGETS AND ACTUAL RESULTS									
Type of Indicator	Performance Indicator	2006 Actual	2006 Target	2007 Actual	2007 Target	2008 Actual	2008 Target	2009 Actual	2009 Target	2010 Actual	2010 Target
Input	1. Number of applications received	—	—	—	—	—	—	—	—	—	—
Output / Activity	2. Number of applications reviewed	—	—	—	—	—	—	—	—	—	—
	3. Number of new youth enrolled	—	—	—	—	—	—	—	—	—	—
	4. Number of youth made	—	—	—	—	—	—	—	—	—	—
Intermediate Outcome	5. Number of counseling site visits made	—	—	—	—	—	—	—	—	—	—
End Outcome	6. Number of educational programs implemented	—	—	—	—	—	—	—	—	—	—
Productivity / Efficiency	7. Average staff hours per youth enrolled	—	—	—	—	—	—	—	—	—	—
	8. Average number of youth per staff member	—	—	—	—	—	—	—	—	—	—
A. Revisions of Targets or Indicators for Indicators: Credit counseling services. Average 1 per level of difficulty with each session.											
B. Factors Affecting FY 08 Program Performance: Describe reasons for any significant differences between target levels of performance and actual performance, whether positive or negative.											
C. Factors Affecting Selection of FY 08 and FY Targets: Provide information on the selection of target levels of performance, when necessary.											

PERFORMANCE MEASUREMENT TABLE: PRESENTED BY DECISION UNIT

NAME OF DECISION UNIT: Motor Vehicle Theft Reduction Program									
PERFORMANCE INDICATOR INFORMATION			PERFORMANCE TARGETS AND ACTUAL RESULTS						
Type of Indicator	Performance Indicator	1993 Actual	1994 Actual	1993		1994 Target	1997 Target		
				Target	Actual				
Input	1. Finalization of support agreement	NA	NA	1	1	1	1		
	2. Number of training programs conducted	NA	NA	NA	NA	10	20		
Output/Activity	3. Number of support agreements implemented	NA	NA	1	1	1	1		
	4. Number of demonstration sites established	NA	NA	NA	NA	5	10		
Intermediate Outcomes	5. Number of jurisdictions implementing program	NA	NA	NA	NA	Unknown	Unknown		
End Outcomes	6. Number police departments involved	NA	NA	NA	NA	Unknown	Unknown		
	7. Number of jurisdictions inquiring about program	NA	NA	NA	NA	Unknown	Unknown		
	8. Number of police stops resulting from program	NA	NA	NA	NA	Unknown	Unknown		
Productivity/Efficiency	10. Use of technology to administer and promote program	NA	NA	NA	NA	NA	NA		
A. Definitions of Terms or Explanations for Indicators:									
None									
B. Factors Affecting FY 95 Program Performance:									
a. availability of funding late in fiscal year and need to design and implement national program strategy delayed 1994 efforts.									
C. Factors Affecting Selection of FY 94 and 97 Targets:									
a. Unknown at this time what problems or impediments will be encountered as program moves forward. Since it is a voluntary program, significant effort will be required to seek state and local agencies' interest in the program and its potential benefits to their jurisdictions.									

**Office of Justice Programs
Violent Crime Reduction Programs
Estimated Available Program Changes
(figures in thousands)**

Prevention Programs	VMWA Law Enforcement Arrest Policies AMOUNT	VMWA Law Enforcement and Prosecution Grants AMOUNT	VMWA Rural Community Violence Enforcement AMOUNT	Access to Federal Criminal Information AMOUNT	State Prison Drug Treatment AMOUNT	Training for Judicial Personnel AMOUNT	Youth Activities AMOUNT	Violence Toll-free AMOUNT
Other Services Chairs, Subsidies & Contributions Total Program Obligations Changes Requested, 1997	500 4,800 5,300	5,100 14,000 19,100	510 500 1,010	10 200 210	50 8,300 8,350	10 20 30	500 2,000 2,500	50 50 100

State and Local Law Enforcement Programs	Truth Assistance State AG's Grants AMOUNT	DNA Identification Grants AMOUNT	TB Prior & Present in Convicted Inc. AMOUNT	Family Support AMOUNT	State Court Activities AMOUNT	Conviction Grants AMOUNT	SCAP AMOUNT	Criminal Records Updates AMOUNT
Other Services Chairs, Subsidies & Contributions Total Program Obligations Changes Requested, 1997	500 8,300 8,800	50 1,000 1,050	10 200 210	10 1,100 1,110	500 22,200 22,700	500 24,200 24,700	500 20,000 20,500	500 12,300 12,800

Federal Law Enforcement Programs	Motor Vehicle Theft Prevention AMOUNT	Prevalence Survey On Victims AMOUNT	Revised Study Convicted Inc. AMOUNT	Transferring Programs AMOUNT	State Data Improvement AMOUNT	Out of State Conviction AMOUNT	SCAP AMOUNT
Other Services Chairs, Subsidies & Contributions Total Program Obligations Changes Requested, 1997	50 500 550	50 500 550	10 100 110	10 1,000 1,010	50 1,000 1,050	50 1,000 1,050	500 500 1,000

Office of Justice Programs
Violent Crime Reduction Programs
Summary of Changes
(dollars in thousands)

1988 Conference Allowance.....	Amount	\$3,207,400
Proposed Reduction to Fund COPS.....		(1,893,998)
1988 Appropriation Anticipated.....		1,404,400
Base Program Change (Byrne Formula Grants).....		318,000
1987 Base.....		1,792,400
Program Changes:		
Criminal Records Upgrades.....	12,500	
Correctional Facilities Grants.....	25,000	
VAWA.....	5,000	
Encouraging Arrest Policies.....	15,000	
Law Enforcement and Prosecution Grants.....	1,000	
Rural Domestic Violence Enforcement.....	250	
Training for Judicial Personnel.....	500	
Televised Testimony Grants.....	250	
Access to Federal Criminal Information (Stalker).....	30,000	
State Criminal Alien Assistance Program.....	8,000	
State Prison Drug Treatment.....	28,000	
State Court Assistance.....	8,000	
Assistance for Delinquent and At-Risk Youth.....	2,000	
DNA Identification Grants.....	(9,000)	
Technical Automation Improvements.....	800	
TB Prevention and Treatment in Correctional Institutions.....	(1,000)	
Gang Information Coordination and Information Collection.....	1,205	
Family Support Programs.....	500	
Motor Vehicle Theft Prevention.....	2,000	
Telemarking Fraud Prevention.....	500	
Presidential Summit on Violence and National Commission on Crime Prevention and Control.....	(200)	
State Database Study.....	200	
National Study on Campus Sexual Assault.....	131,505	
Total Program Changes.....		1,824,105
1987 Estimate.....		

Office of Justice Programs
Violent Crime Reduction Programs
Summary of Requirements by Object Class
(Dollars in thousands)

Object Class	1986 Actual FTE	1986 Actual Amount	1986 Estimate FTE	1986 Estimate Amount	1987 Request FTE	1987 Request Amount	Increase/Decrease FTE	Increase/Decrease Amount
11.1 Full-Time Permanent.....	-	-	-	-	-	-	-	-
11.2 Other Than Full-Time.....	-	-	-	-	-	-	-	-
11.5 Other Personnel Compensation.....	-	-	-	-	-	-	-	-
11.8 Special Personnel Services Payroll.....	0	0	0	0	0	0	0	0
Total.....	-	-	-	-	-	-	-	-
Other Object Class	-	-	-	-	-	-	-	-
12 Personnel Benefits.....	-	-	-	-	-	-	-	-
13 Benefits for Former Personnel.....	-	-	-	-	-	-	-	-
21 Travel and Transportation of Persons.....	-	-	-	-	-	-	-	-
22 Transportation of Things.....	89	-	-	-	-	-	-	-
23.1 GSA Rent.....	-	-	-	-	-	-	-	-
23.2 Rental Payments to Others.....	-	-	-	-	-	-	-	-
23.3 Communications, Utilities, and Misc.....	-	-	-	-	-	-	-	-
24 Printing and Reproduction.....	-	-	-	-	-	-	-	-
26.1 Consulting Services.....	73	-	-	-	-	-	-	-
26.2 Other Services.....	6,183	-	-	86,898	-	86,898	-	86,898
26.3 Purchases of Goods and Services from Government Accounts.....	-	3,896	-	43,123	-	82,697	-	10,874
26.00 Supplies and Materials.....	-	-	-	-	-	-	-	-
31.00 Equipment.....	-	813,358	-	1,478,893	-	1,885,484	-	286,898
41.00 Grants, Subsidies and Contributions.....	-	433,776	-	1,233,784	-	1,794,168	-	460,392
Total Current Obligations.....	-	118,116	-	1,719,184	-	2,062,650	-	343,466
Unobligated balance, start of year.....	-	-	-	-	-	-	-	-
Unobligated balance, end of year.....	-	742,400	-	1,464,400	-	1,894,100	-	429,700
Total Requirements.....	-	860,516	-	3,183,584	-	3,956,750	-	776,234
Reduction of Obligations to Outlays.....	-	-	-	-	-	-	-	-
Total Obligations.....	-	860,516	-	3,183,584	-	3,956,750	-	776,234
Obligated balance, start of year.....	-	-	-	-	-	-	-	-
Obligated balance, end of year.....	-	548,404	-	1,330,307	-	2,008,843	-	668,536
Adjustments in exp'd accounts.....	-	-	-	-	-	-	-	-
Outlays.....	-	718,912	-	718,912	-	1,184,988	-	466,076

Department of Justice
Office of Justice Programs
Weed and Seed Program Fund
Estimates for Fiscal Year 1997
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Weed and Seed Program Fund

Summary Statement

Fiscal Year 1997

For 1997, a total of \$28,500,000 is requested for the Executive Office for Weed and Seed. These funds will be derived from Byrne discretionary funds requested under the "Violent Crime Reduction Program" appropriation.

The Weed and Seed Program Fund is charged with national implementation of Operation Weed and Seed, which is a comprehensive, multi-agency approach to combating violent crime, drug use, and gang activity in high-crime neighborhoods. The goal is to "weed out" crime from targeted neighborhoods and then to "seed" the sites with a wide range of crime and drug prevention programs, as well as human service agency resources, to prevent crime from reoccurring. The Weed and Seed strategy emphasizes the importance of a coordinated approach, bringing together Federal, State and local government, the community, and the private sector to form a partnership to create a safe, crime-free and drug-free environment. Substantial progress has been made in many Weed and Seed sites towards these goals. This funding would allow continuation and expansion of these successful community-based initiatives.

Office of Justice Programs
Weed and Seed Program Fund
Justification of Proposed Changes in Appropriated Language

Weed and Seed Program Fund

For necessary expenses, including salaries and related expenses of the Executive Office for Weed and Seed, to implement "Weed and Seed" program activities, \$28,500,000, which shall be derived from discretionary grants provided under the Edward Byrne Memorial State and Local Law Enforcement Assistance Programs, to remain available until expended for intergovernmental agreements, including grants, cooperative agreements, and contracts, with State and local law enforcement agencies engaged in the investigation and prosecution of violent crimes and drug offenses in "Weed and Seed" designated communities, and for either reimbursements or transfers to appropriation accounts of the Department of Justice and other Federal agencies which shall be specified by the Attorney General to execute the "Weed and Seed" program strategy: *Provided*, That funds designated by Congress through language for other Department of Justice appropriation accounts for "Weed and Seed" program activities shall be managed and executed by the Attorney General through the Executive Office for Weed and Seed: *Provided further*, That the Attorney General may direct the use of other Department of Justice funds and personnel in support of "Weed and Seed" program activities only after the Attorney General notifies the Committee on Appropriations of the House of Representatives and the Senate in accordance with section 605 of this Act.

Note. A regular 1996 appropriation for this account has not been enacted at the time this budget was prepared.

The 1996 amounts included in this budget are based on the levels provided in three continuing resolutions: P.L.

104-91, P.L. 104-92, and P.L. 104-99.

Office of Justice Programs
Weed and Seed Program
Crosswalk of 1993 Changes
(Dollars in thousands)

Activity/Program	1996 President's Budget Request		Congressional Appropriations Action on Budget Request		Reprogramming		1996 Conference Allowance	
	Pos	WY Amount	Pos	WY Amount	Pos	WY Amount	Pos	WY Amount
Weed and Seed Program	-	55,000	-	23,500	-	-	-	28,500
TOTAL, Weed and Seed	-	5,000	-	23,500	-	-	-	28,500

NOTE: For presentation purposes only. Beginning in 1996, due to reorganization, positions and workyears are reflected in the "Justice Assistance" appropriation. Funds for the program will be reimbursed from the "State and Local Law Enforcement" appropriation.

Office of Justice Programs
 Weed and Seed Program
 Summary of Requirements
 (Dollars in thousands)

Adjustment to Base:	Perm Pos.	NY Amount
1986 Conference allowance.....
1987 Base/Estimate.....
		\$28,500
		28,500

Estimates by budget activity	1986 Appropriation Anticipated			1987 Base			1987 Estimate			Increase/Decrease		
	Perm Pos.	NY Amount	Perm Pos.	NY Amount	Perm Pos.	NY Amount	Perm Pos.	NY Amount	Perm Pos.	NY Amount	Perm Pos.	NY Amount
1. Weed and Seed Program.....	\$28,500	..	..	..	..	..	\$28,500	..	..
Total.....	28,500	..	..	..	..	..	28,500	..	..

NOTE: For presentation purposes only. Funds will be reimbursed in 1988 from the "State and Local Law Enforcement" appropriation and in 1987 from the "Violent Crime Reduction Program" appropriation.

Office of Justice Programs
Wood and Seed Program Fund
Summary of Resources by Program
(Amount in thousands)

Estimates by Program	1986 Enclosed		1986 Actual		1986 Appropriation		1987 Base		1987 Estimate		Increase/Decrease	
	Perm	Est. NY Amount	Perm	Est. NY Amount	Perm	Est. NY Amount	Perm	Est. NY Amount	Perm	Est. NY Amount	Perm	Est. NY Amount
Wood and Seed Program Fund	--	\$15,458	--	\$15,260	--	\$26,800	--	\$26,800	--	\$26,800	--	--
TOTAL	--	15,458	--	15,260	--	26,800	--	26,800	--	26,800	--	--

Note: For presentation purposes only. Funds for 1986 will be reimbursed from the "State and Local Law Enforcement" appropriation. In 1987 funds will be reimbursed from the "Violent Crime Reduction Program" appropriation.

**OFFICE OF JUSTICE PROGRAMS
AND COMMUNITY DEVELOPMENT
PROGRAMS
GOVERNMENT PERFORMANCE AND RESULTS ACT REQUIREMENTS**

Mission: To provide grant funding to communities to help develop and implement comprehensive strategies to "weed out" violent crime, drug trafficking, and gang activity and "seed" the neighborhood through social and economic revitalization.

General Goals:

1. Encourage the development and implementation of the Weed and Seed strategy in communities by funding geographically diverse projects in large, medium, and small sized communities.
2. Maximize available resources by coordinating Weed and Seed strategies with other Federal, State, local and private sector, law enforcement and social service agencies efforts to revitalize neighborhoods.

**OFFICE OF JUSTICE PROGRAMS
WEED AND SEED PROGRAM
PROGRAM PERFORMANCE INFORMATION**
(Dollars in thousands)

Weed and Seed Program: 1996 Availability 1997 Base 1997 Estimate Increase/ Decrease	Amounts 28,500 28,500 28,500 0
---	--

BASE PROGRAM DESCRIPTION: The "Weed and Seed" program provides funding assistance to communities, including assistance for the investigation and prosecution of violent crimes and drug offenses in "Weed and Seed" designated communities. These grants provide communities with funds to concentrate their efforts on "weeding out" violent crime, drug trafficking, and drug-related crime from targeted high-crime neighborhoods, and "seeding" those areas with human services and neighborhood restoration activities. To maximize available resources, "Weed and Seed" grants are often integrated with other Federal, State and local, and private sector funds. In a spirit of cooperation, agencies set out to accomplish the long range goal of revitalizing neighborhoods so citizens may live, pursue opportunity, and raise their families in a crime-free environment.

Initially, the Office of Justice Programs (OJP) and the U.S. Attorney's funded the "Weed and Seed" program. In 1991, OJP, through the Bureau of Justice Assistance (BJA), awarded grants to establish the first three "Weed and Seed" pilot sites in Trenton, New Jersey; Kansas City, Missouri; and Omaha, Nebraska. In 1992, the "Weed and Seed" initiative grew from three pilot sites to a total of 19.

The mission of "Weed and Seed" was established by P.L. 102-395, the Department of Justice and Related Agencies Appropriations Act of 1993, and by the end of that year, a total of 21 "Weed and Seed" sites were operating nationwide. Since 1994, the total number of "Weed and Seed" demonstration sites has grown to 36. In 1995, all 36 sites received funding. The BJS plans to expand its program during 1996 and 1997.

The "Weed and Seed" strategy is made up of four basic elements:

1. Coordinated law enforcement efforts to "weed out" violent offenders in targeted neighborhoods;
2. Community Oriented Policing, which operates in support of intensive law enforcement suppression activities and provides a "bridge" to programs aimed at prevention, intervention and treatment, and neighborhood reclamation and revitalization;

3. Increased availability of human services in demonstration neighborhoods -- such as drug and crime prevention programs, educational opportunities, drug treatment, family services and recreational activities -- to create a crime free environment; and
4. Expanded opportunities and economic development for residents to revitalize distressed neighborhoods.

The selection criteria for participating in "Need and Seed" activities focuses on communities that have the following characteristics:

- High or rapidly increasing incidence of violent crime
- Existing, workable community infrastructure
- Cooperative governmental partnerships, good cooperation between governmental and private civic and social service organizations
- Strong U.S. Attorney offices
- History of innovative programming at local level
- If a large city is being considered, project site should be a clearly, easily identifiable section of metropolitan area
- Available funding from other Federal program dollars and existing private/local matching funds

Currently, there are a number of "Need and Seed" program activities operating across the country. Some of the most successful programs include:

Interagency Programs

Safe Haven Program: This program was developed by a collaborative effort between the Executive Office of Need and Seed (EONS), AIA, and the Departments of Education (DoE) and Housing and Urban Development (HUD). The program brings together education, community services, law enforcement, health, and recreation to provide alternative and support activities for high-risk youth and other residents of "Need and Seed" target communities. With 1993 funds, a grant award was made to Cities-in-Schools to implement the Safe Haven program. In FY 1994, EONS and AIA jointly funded grant awards of \$50,000 each to 20 sites to continue support for Safe Haven coordination and management activities. In FY 1995, sites were expected to fund Safe Havens out of the core grant and/or leveraged resources.

Training and Technical Assistance

In addition to the initial program implementation manual, for which distribution is still ongoing, EONS publishes a monthly newsletter announcing developments in "Need and Seed" policy and the progress

experienced at current "Weed and Seed" sites. The newsletter is distributed to "Weed and Seed" sites, as well as other interested Federal, State and local, and community leaders. EOMS has also developed a video library for use by those developing a "Weed and Seed" strategy.

Training and technical assistance is an essential component of "Operation Weed and Seed." It is designed to support program development and implementation related to the four elements of the "Weed and Seed" strategy. Most of the training and technical assistance efforts have been jointly sponsored by or coordinated with other Federal agencies. The following are major training and technical assistance efforts that have been implemented or are being developed for implementation in FY 1996 and 1997:

Neighborhood Restoration: This training and technical assistance activity will provide assistance in the design and implementation of strategies for economic development, expansion of employment opportunities, and restoration of housing and the overall physical environment. Local community development corporations will be promoted as a primary component of neighborhood restoration strategies. An interagency effort with HUD and HHS is underway.

Home Visitation Teams: EOMS plans to provide technical and limited financial assistance to selected sites to implement a home visitation program. The model features the use of nurses as case managers to work with high risk young mothers during the pre-natal and post-natal periods. The nurses will provide and broker intensive health, nutrition, educational, and employment services towards the goal of self sufficiency and healthy children.

Youth Crime Watch: In FY 1995, EOMS provided funding for Youth Crime Watch. This initiative is a widespread, comprehensive and popular student-led anti-crime program. The program offers a structure and process, to empower youth to prioritize school or community problems and find solutions. It confronts an array of antisocial behavior including drug use, crime, violence, gangs, and auto theft.

Community Mobilization: This training and technical assistance program is a two-component activity consisting of organizing and mobilizing law abiding residents in high crime neighborhoods in cooperation with the police, to nonviolently confront drug dealers through peaceful marches and vigils. The intent of this nonviolent intervention is to disrupt the drug dealer's activities, to solidify community opinion against them, and to force their illegal activities out of the neighborhoods.

Youth As Resources: This is a youth-led community service program that provides small grants to young people to design and carry out projects to meet the community's needs. Based on an agreement between HUD and EOMS, HUD provided funds to five "Weed and Seed" sites to implement the Youth As Resources program in public housing.

Other Activities

National Conference: As in past years, EOMS will convene a national "Weed and Seed" conference. The purpose of the conference will be to share information about effective programs being implemented by the various sites in each of the four "Weed and Seed" strategy elements for existing, new, and officially recognized sites. The conference provides information on the types of training and technical assistance strategies available. It also provides information on the types of training and technical assistance strategies, such as Empowerment Zones and DOJ's Pulling America's Communities Together (PACT) and the RJA Comprehensive Communities Program; and an opportunity for experienced pilot demonstration sites to share their experiences with newer and developing sites.

National Evaluation: In FY 1993, the National Institute of Justice (NIJ) initiated a process evaluation of the 19 pilot demonstration sites funded at that time. In 1994, NIJ funded a project to collect baseline data at approximately eight sites for use in an impact evaluation. In 1995, NIJ selected a new national impact evaluator whose efforts are underway.

Local Evaluations: The application guidelines for "Weed and Seed" grants require each applicant to identify baselines, milestones, and performance indicators for measuring the impact of its law enforcement, prevention/early intervention/treatment, community policing, and neighborhood restoration programs. The guidelines also require new sites to dedicate a minimum of \$37,500 out of the BOMG/WIA grant funds, and/or identify other funds to support a local evaluation. The grant awards include a special condition stating that DOJ will approve the evaluation design prior to the expenditure of any evaluation funds. DOJ assists sites by reviewing evaluation proposals. Plans are underway to provide technical assistance to sites local evaluation efforts.

National Performance Review Laboratory: A National Performance Review (NPR) laboratory related to comprehensive anti-crime and social justice delivery strategies was initiated in FY 1994. The purpose of the NPR lab is to develop and demonstrate an approach for enhancing the delivery of public services to troubled neighborhoods, for leveraging state, local, and private resources, and evaluating the effectiveness of community strategies in revitalizing neighborhoods. This lab complements the Empowerment Zone/Enterprise Community Initiative. Five "Weed and Seed" sites - four funded and one unfunded - were selected for this lab.

Official Recognition Process

Official recognition provides sites, which independently adopt the "Weed and Seed" strategy and apply for recognition, with limited technical assistance, training, and preference in applying for certain Federal funding programs. In 1995, a total of 21 sites received official recognition for their successful implementation of "Weed and Seed" strategies. In addition, recognition of these 21 sites received a one-time grant of \$35,000. A new application for "unfunded" recognition status was issued in May 1995.

The Department has allocated approximately \$17.5 million in resources for "Weed and Seed" activities in 1996, of which, \$9 million will be provided by the Asset Forfeiture Fund (28 U.S.C. 524 (c)(1)(2)) to supplement local law enforcement activities in "Weed and Seed" sites.

PROGRAM CHANGES: As in 1996, no direct funding is requested for the Weed and Seed Program in 1997. Instead, this program will be completely funded from the Byrne Discretionary Grant Program. Likewise, the proposed 1997 appropriations language continues to allow reimbursements from other DOJ sources, including the Asset Forfeiture Fund.

PERFORMANCE MEASUREMENT TABLE: PRESENTED BY DECISION UNIT

Weed and Seed Program		PERFORMANCE TARGETS AND ACTUAL RESULTS							
PERFORMANCE INDICATOR INFORMATION		PERFORMANCE TARGETS AND ACTUAL RESULTS							
Type of Indicator	Performance Indicators	1993 Actual	1994 Actual	1995 Target	1995 Actual	1996 Target	1997 Target		
Input	1. Weed and Seed Program Fund \$ to Sites (in thousands of dollars)	11,862	10,432	10,800	10,800	18,770	18,770		
Output/Activity	2. Number of sites funded at the demonstration level	21	36	36	36	40	40		
	3. Number of sites officially recognized	10	10	24	24	36	36		
Intermediate Outcome	4. Number of funded sites with community policing	21	21	36	36	40	40		
	5. Number of funded sites with safe havens	21	21	36	36	40	40		
End Outcome	6. Number of community police patrols (foot or bike)	N/A	N/A	N/A	N/A	N/A	N/A		
	7. Safe haven attendance (avg. daily for each safe haven)	N/A	N/A	N/A	N/A	N/A	N/A		
Productivity/Efficiency	8. Total number of sites given demonstration funding and official recognition per FTE	4.4	6.6	8.6	8.6	8.0	8.0		
A. Definitions of Terms or Explanations for Indicators: Clarify potentially confusing terms. Assume a low level of familiarity with your programs.									
Re: "Input," note that the Weed and Seed Program Fund is one of several sources of funding for Weed and Seed projects. Within DOJ, other sources have included the Executive Office for U.S. Attorneys, the Bureau of Justice Assistance Byrne Discretionary Grant Program, and Asset Forfeiture Funds under 28 USC 524(c)(1)(D). Approximately \$8 million in 1994 and \$9 million in 1995; similar amounts will be requested for 1996 and 1997 if alternative funding for the program is not available. For 1996 and 1997 funds for the Weed and Seed Program Fund will be derived from Byrne discretionary funds. The number of sites targeted for 1996 and 1997 reflects reliance on such other sources, even though the Weed and Seed Program Fund amount is expected to be reduced.									
Re: "Output," note that the demonstration level is approximately \$750,000 for a 12-month period; official recognition was an unfunded status in 1993 and 1994, but in 1995 it was accompanied by a one-time award of \$35,000.									
Re: "Intermediate outcome," & "End outcome," note that safe havens are multi-service centers where a variety of youth and adult services are co-located in a highly visible and accessible facility that is secure against crime and illegal drug activity. N/A = Program-wide data are not available yet; collection of these data will be tested in the GPRA pilot project in 1996 and implemented program wide in 1997.									

<p>B. Factors Affecting FY 96 Program Performance. Describe reasons for any significant differences between target levels of performance and actual performance, whether positive or negative.</p>	<p>Note: Class 15 zero sites were funded in September 1994, these sites are included in "also funded" for FY 1994, but their performance in terms of "intermediate outcomes" is recorded as beginning in FY 1995. A variety of factors may affect program performance other than phenomena within the control of the Federal Government, for example, local capacity and commitment to implement the program, and external levels of a national or even regional nature.</p>
<p>C. Factors Affecting Selection of FY 96 and FY Targets. Provide information on the selection of target levels of performance, where necessary.</p>	<p>The number of sites funded includes both fully-funded sites (\$3,379,000) and funded partially-reimbursed sites (\$3,510,000).</p>

* Discrepancy in performance resulting from a reported 1997 program change. A performance indicator and target must be set for the results that will be achieved should resources be available.

Office of Justice Programs
Wood and Seed Program
Summary of Requirements by Grade and Object Class
(Values in thousands)

Object Class	1986 Actual PTE	1986 Actual Amount	1986 Anticipated PTE	1986 Anticipated Amount	1987 Request PTE	1987 Request Amount	Increase/Decrease PTE	Amount
11.1 Paid-Time Personnel.....	---	---	---	---	---	---	---	---
11.2 Other Than Paid-Time.....	---	---	---	---	---	---	---	---
11.3 Other Personnel.....	---	---	---	---	---	---	---	---
11.4 Special Personnel Services Payroll.....	0.0	113	0.0	0	0.0	0	0.0	0
Total.....	---	---	---	---	---	---	---	---
12 Personal Benefits.....	---	---	---	---	---	---	---	---
13 Benefits for Former Personnel.....	---	---	---	---	---	---	---	---
21 Travel and Transportation of Persons.....	---	184	---	---	---	---	---	---
22 Transportation of Things.....	---	4	---	---	---	---	---	---
23.1 GMA Rent.....	---	---	---	---	---	---	---	---
23.2 Rental Payments to Others.....	---	---	---	---	---	---	---	---
23.3 Communications, Utilities, and Mail.....	---	109	---	---	---	---	---	---
24 Printing and Reproduction.....	---	10	---	---	---	---	---	---
25.3 Purchases of Goods and Services from Government Accounts.....	---	13,796	---	5799	---	9695	---	969
26 Supplies and Materials.....	---	4	---	---	---	---	---	---
31 Equipment.....	---	5	---	---	---	---	---	---
41 Grants, Subsidies and Contributions.....	---	---	---	27,468	---	27,468	---	2239
42 Insurance Claims and Indemnities.....	---	---	---	---	---	---	---	0
Total Obligations.....	---	14,280	---	24,657	---	28,500	---	(1197)
Unobligated balance, start of year.....	---	(1,431)	---	(827)	---	---	---	827
Unobligated balance transferred.....	---	---	---	470	---	---	---	(470)
Unobligated balance, end of year.....	---	827	---	---	---	---	---	---
Total Requirements.....	---	13,654	---	24,800	---	28,500	---	---
Relation of Obligations to Outlays:								
Total Obligations.....	---	14,280	---	---	---	---	---	---
Obligated balance, start of year.....	---	8,277	---	---	---	---	---	---
Obligated balance, end of year.....	---	---	---	---	---	---	---	---
Outlays.....	---	19,837	---	---	---	---	---	---

Note: For presentation purposes only. In 1986 and 1987 funds will be realigned from the "State and Local Law Enforcement" and "Violent Crime Reduction Program" appropriations respectively from which they will be reimbursed to the Wood and Seed Program.

Office of Justice Programs
State and Local Law Enforcement Assistance
Estimates for Fiscal Year 1997
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Office of Justice Programs
State and Local Law Enforcement Assistance
Summary Statement
Fiscal Year 1997

For 1997, the Office of Justice Programs is requesting a total of \$535,000,000 for the State and Local Law Enforcement Assistance program, which is the same funding level requested in 1996. However, unlike 1996, this program will be entirely funded from the Violent Crime Reduction Trust Fund (VCRTF). The State and Local Law Enforcement program was first authorized by the Anti-Drug Abuse Act of 1986 to assist State and local governments in their drug control and enforcement efforts. Amendments to the program were enacted in the Anti-Drug Abuse Act of 1988 to incorporate efforts to improve functioning of the criminal justice system, with emphasis on violent crime. The program is now widely known as the Edward Byrne Memorial State and Local Law Enforcement Assistance Program. The 1997 request provides \$60,000,000 for the Discretionary Grant Program and \$475,000,000 for the Formula Grant Program.

Office of Justice Programs
State and Local Law Enforcement Assistance
Justification of Proposed Changes in Appropriated Language

NOTE: Language for the State and Local Law Enforcement Assistance program appears as part of the Violent Crime Reduction Program appropriations language.

Office of Justice Programs
State and Local Law Enforcement Assistance
Comparison of 1986 Changes
(Dollars in Thousands)

Activity/Program	1986 President's Budget Request		Reprogramming		1986 Conference Availability	
	Pos	WY Amount	Pos	WY Amount	Pos	WY Amount
Edward Byrne Formula Grants	-	\$180,000	-	-	-	\$328,000
Edward Byrne Discretionary Grants	=	50,000	=	=	=	80,000
TOTAL, State and Local Law Enforcement	-	240,000	-	-	-	388,000

Office of Justice Programs
State and Local Law Enforcement Assistance
Summary of Requirements
(Dollars in Thousands)

Adjustments to Base:	Amount
1986 Conference Allowance	398,000
1987 Base	398,000
Program Changes (See Program Narrative for Details)	(398,000)
1987 Estimate	0

	1986 Appropriation Anticipated			1987 Base			1987 Estimate			Increase/Decrease		
	Perm	Pos.	WY	Amount	Perm	Pos.	WY	Amount	Perm	Pos.	WY	Amount
Estimates by Budget Authority												
Byrne Formula Grants	\$328,000	..	..	..	\$328,000	..	..	..	(\$328,000)
Byrne Discretionary Grants	80,000	..	..	..	80,000	..	..	..	(80,000)
Total, State and Local Law Enforcement	398,000	..	..	..	398,000	..	..	..	(398,000)

Office of Justice Programs
State and Local Law Enforcement Assistance
Summary of Resources by Program
(Dollars in Thousands)

Estimates by Program	1986 Enacted		1986 Actual		1986 Appropriation		1987 Base		1987 Estimate		Increase/Decrease	
	Perm	Pos. WY Amount	Perm	Pos. WY Amount	Perm	Pos. WY Amount	Perm	Pos. WY Amount	Perm	Pos. WY Amount	Perm	Pos. WY Amount
Byrne Formula Grants	\$328,000	...	\$328,000	...	\$0	...	(\$328,000)
Byrne Discretionary Grants	...	\$50,000	...	\$40,095	...	80,000	...	80,000	...	0	...	(80,000)
Correctional Options Grants	...	12,000	...	11,711	...	...	...	...	...	0	...	0
Total	...	\$82,000	...	\$51,806	...	\$338,000	...	\$368,000	...	\$0	...	(\$346,000)

**Office of Justice Programs
State and Local Law Enforcement Assistance
Reimbursable Resources
Summary of Requirements
(Dollars in Thousands)**

	1995 Actual		1996 Estimate		1997 Request		Increase/Decrease	
	Pos.	WY Amount	Pos.	WY Amount	Pos.	WY Amount	Pos.	WY Amount
Financing:								
Collections by Source:								
Department of Justice, COPS.....	—	\$210,587	—	\$23,550	—	—	—	—
Executive Office for Weed and Seed.....	—	13,612	—	—	—	—	—	—
Department of Housing and Urban Development.....	—	1,800	—	—	—	—	—	—
Department of Labor.....	—	400	—	—	—	—	—	—
Department of Health and Human Services.....	—	300	—	1,200	—	—	—	(1,200)
Department of Justice, INS.....	—	150	—	150	—	—	—	(150)
Department of Education.....	—	100	—	100	—	—	—	(100)
Federal Emergency Management Agency.....	—	50	—	—	—	—	—	—
Budgetary Resources.....	—	228,979	—	25,000	—	—	—	(25,000)
Obligations by Program:								
Byrne Discretionary Grants.....	—	228,979	—	25,000	—	—	—	(25,000)
Total.....	—	228,979	—	25,000	—	—	—	(25,000)
Source of Reimbursement:								
Department of Justice, COPS.....	—	210,587	—	23,550	—	—	—	(23,550)
Executive Office for Weed and Seed.....	—	13,612	—	—	—	—	—	—
Department of Housing and Urban Development.....	—	1,800	—	—	—	—	—	—
Department of Labor.....	—	400	—	—	—	—	—	—
Department of Health and Human Services.....	—	300	—	1,200	—	—	—	(1,200)
Department of Justice, INS.....	—	150	—	150	—	—	—	(150)
Department of Education.....	—	100	—	100	—	—	—	(100)
Federal Emergency Management Agency.....	—	50	—	—	—	—	—	—
Budgetary Resources.....	—	228,979	—	25,000	—	—	—	(25,000)

Good and Services Provided: Resources provided by contributing agency for joint projects administered by the Bureau of Justice Assistance.

**OFFICE OF JUSTICE PROGRAMS
STATE AND LOCAL LAW ENFORCEMENT ASSISTANCE
PROGRAM PERFORMANCE INFORMATION
GOVERNMENT PERFORMANCE AND RESULTS ACT REQUIREMENTS**

MISSION: To assist State and local units of government to control and prevent drugs and violent crime and to improve the functioning of the criminal justice system by helping States develop and implement innovative alternatives to traditional criminal justice operations.

ORGANIZATIONAL GOALS:

1. Award grants to States for the use by States and local units of government for crime prevention/control and system improvement programs.
2. Provide States with guidance on administrative issues and requirements.
3. Provide States and local criminal justice agencies with state-of-the-art information on effective programs, practices, and techniques.
4. Obtain information from the States on effective programs and to document "what works" in reducing crime and improving the criminal justice system.
5. Provide the States and subgrantees with training and technical assistance on administrative and program issues.
6. Encourage States to address National priorities.
7. Monitor formula grant activities for compliance with requirements and the effective implementation of the statewide strategies.
8. Develop and test the effectiveness of new programs and practices to control and prevent drug use, crime and violence, and to improve the functioning of the criminal justice system at the State and local levels.
9. Provide training and technical assistance to improve and enhance the capacity of State and local agencies and community members to engage in effective drug/crime and violence control/prevention activities.
10. Encourage and facilitate coordination and cooperation among criminal justice agencies, across

jurisdictions; among Federal, State, and local agencies; across disciplines; and between the criminal justice system and the community.

11. Assess the impact of program activities on drug and crime problems and the operations of the criminal justice system.
12. Develop alternatives that reduce reliance on incarceration.
13. Relieve overcrowding in correctional institutions.

OFFICE OF JUSTICE PROGRAMS
STATE AND LOCAL LAW ENFORCEMENT ASSISTANCE
PROGRAM AND PERFORMANCE INFORMATION
(Dollars in thousands)

Edward Byrne Formula Grants	Amount
1996 Anticipated Appropriation	\$128,000
1997 Base	328,000
1997 Request	---
Increase/Decrease	-328,000

BASE PROGRAM DESCRIPTION: The purpose of the Edward Byrne Memorial State and Local Law Enforcement Assistance Formula Grant Program, authorized by the Anti-Drug Abuse Act of 1988, as amended, is to assist States and units of local government in carrying out specific programs that offer a high probability of improving the functioning of the criminal justice system, with special emphasis on nationwide and multi-level drug control strategies and violent crime prevention. Programs and projects are developed to assist multijurisdictional and multi-state efforts to control drugs and crime and to support National priorities. The Anti-Drug Abuse Act of 1988, as amended, authorizes programs in 26 purpose areas to improve the criminal justice system.

The 50 States, the District of Columbia, Puerto Rico, the Virgin Islands, Guam, American Samoa, and the Northern Mariana Islands are eligible to receive a formula grant award. A percentage of each State's formula award must be used for projects at the local level, based on the proportion of local criminal justice expenditures to total State and local criminal justice expenditures.

The States, in consultation with local officials, develop statewide drug and violent crime strategies and funding priorities to address their drug and violent crime problems and to improve the functioning of their criminal justice systems while supporting national priorities and objectives.

PROGRAM CHANGE: There is no change in the total 1997 request; rather \$475 million, the same as in 1996, is requested to be funded entirely from the Violent Crime Reduction Trust Fund (VCRTF). There are no direct funds requested. The \$475 million will enable State and local governments to continue current activities and to address new problems. Further discussion of the Byrne Formula Program may be found under the VCRP section of the OJP budget.

**OFFICE OF JUSTICE PROGRAMS
STATE AND LOCAL LAW ENFORCEMENT ASSISTANCE
PROGRAM AND PERFORMANCE INFORMATION**
(Dollars in thousands)

Edward Byrne Discretionary Grants	Amount
1986 Anticipated Appropriation	60,000
1987 Base	60,000
1987 Request	---
Increase/Decrease	-60,000

BASE PROGRAM DESCRIPTION: The purpose of the Edward Byrne Memorial State and Local Law Enforcement Assistance Program, authorized by the Anti-Drug Abuse Act of 1988, as amended, is to assist States and units of local government in carrying out specific programs that offer a high probability of improving the functioning of the criminal justice system with special emphasis on nationwide and multi-level drug control strategies. The Anti-Drug Abuse Act of 1988, as amended, authorizes programs in 26 purpose areas to control drugs and improve the criminal justice system.

Through the Byrne Discretionary Grant Program, BJA provides leadership and guidance on crime and violence prevention and control and criminal justice system improvement at the State and local levels. BJA is authorized by Congress to make awards to public and private agencies and organizations for national scope and multi-state programs, demonstration programs, training, and technical assistance to assist States and local jurisdictions. National scope programs provide a service or product of benefit throughout the country or across multiple States or address issues of concern nationally. Demonstration programs are used to develop, test, evaluate, and document new programs and practices. Training is developed and provided to State and local criminal justice practitioners and others to provide them with state-of-the-art information on effective programs and practices. Technical assistance provides support to sites participating in demonstration programs or is available to help individual jurisdictions implement a program or practice or address a specific issue.

Comprehensive Approaches: In 1987, BJA will continue to assist local communities and neighborhoods with the development and implementation of comprehensive approaches to problems related to drugs, crime, and violence at the community and neighborhood levels. A comprehensive approach requires law enforcement and other governmental agencies to work in partnership with community members and organizations to address crime problems, as well as the factors that increase the risk that individuals will become involved in problem behavior.

Violence Prevention: Programs to reduce and prevent violence, including youth violence, will continue to be a high priority in 1987, including the continuation and expansion of programs to control and reduce illegal firearms activity, homicides, and gang-related crimes.

Community Partnership and Prevention: Crime and violence are only a symptom of broader problems which plague our communities. Crime cannot be stopped by law enforcement without the active participation of the community and other public and private agencies. In 1997, BJA plans to expand and enhance community mobilization efforts by assisting local communities and law enforcement agencies in actively engaging residents and community groups in taking back their neighborhoods, one neighborhood at a time, from drug dealers, gangs, and other criminals. This program area will complement efforts to hire additional police officers and to expand community policing. It is designed to encourage and prepare local communities to embrace community crime prevention, community mobilization, community revitalization, and neighborhood level problem solving.

Improve the Functioning of the Criminal Justice System: In 1997, BJA will continue to identify, develop, and test programs, policies, procedures, and standards of operations to improve the effectiveness and efficiency of the criminal justice system at the State and local levels. Programs will continue to examine law enforcement activities, the adjudicatory process, and corrections functions in an effort to help State and local agencies respond to emerging problems, identify ways to target limited resources on the most serious crime/offenders or where they will have the impact, and take advantage of new technologies and best practices.

Training and Technical Assistance: Efforts to identify "what works" is of limited value unless that information is widely disseminated and local practitioners are given assistance in replicating these innovations. In 1997, BJA will continue or expand training and technical assistance to State and local criminal justice practitioners, other government officials, service providers, and community organizations and residents. Training and technical assistance will share information and lessons learned through demonstration programs which are developed in response to emerging problems at the State and local levels.

Evaluation: In order to increase the efficiency of programs and determine "what works," BJA will work with the National Institute of Justice (NIJ) to conduct evaluations of selected programs and will also support evaluation efforts at the State and local levels. NIJ has a statutory responsibility for the evaluation of BJA's programs. A portion of the funds allocated for the programs described above may be reimbursed to NIJ to support the evaluation efforts.

PROGRAM CHANGES: The request for the Discretionary Grant Program is \$60 million, the same as the 1996 level. However, no direct funding is requested in 1997 because this program will be funded in its entirety through the VCRR. The \$60 million request, will allow States and local governments to maintain current program activities.

Additionally, the 1996 Conference Report contained language requiring BJA to provide \$45.6 million, or approximately two-thirds of the available funds, to 8 specific programs and organizations. In any given year, BJA's routine program development activities result in at least one-third of the discretionary funds being devoted to continuation efforts, technical assistance, and evaluation. The net effect of the 1996 earmarks was to markedly decrease ongoing efforts, with some programs discontinued entirely. BJA's ability

to respond to emerging problems at the state and local levels has been seriously diminished by Congressional diversion of large amounts of funds into program areas which have received Federal funding support beyond the typical demonstration cycle.

PERFORMANCE MEASUREMENT TABLE: PRESENTED BY DECISION UNIT

NAME OF DECISION UNIT: Edward Byrne Memorial State and Local Law Enforcement Assistance Formula Grant Program									
PERFORMANCE INDICATOR INFORMATION			PERFORMANCE TARGETS AND ACTUAL RESULTS						
Type of Indicator	Performance Indicators	1993 Actual	1994 Actual	1995		1996 Target	1997 Target		
				Target	Actual				
Input	1. Number of applications received	56	56	56	56	56	56	56	56
Output/Activity	2. Number of applications reviewed	56	56	56	56	56	56	56	56
	3. Number of events held	56	121	113	113	108	108	108	108
Intermediate Outcomes	4. Number of State Administrative Agency (SAA) Personnel trained on administrative requirements/needs, program development and evaluation	64	0	165	184	164	164	164	164
	5. Number of SAA personnel provided the opportunity to participate in annual conferences, workshops, etc. related to criminal justice issues	168	196	224	175	224	224	224	224
	6. Number of SAA personnel requested to report to the SAA	100	100	100	98	118	118	118	260
	7. Number of SAA personnel requested to report to the SAA	NA	47	53	53	53	53	53	53
	8. Number of SAA personnel requested to report to the SAA	NA	47	53	53	53	53	53	53
	9. Number of States in compliance with RIV mandate	36	50	56	50	56	56	56	56
	10. Number of States with approved criminal justice record improvement plans	49	53	54	53	54	54	54	54
	11. Number of States with approved plan I plans for reporting alone	27	35	54	46	54	54	54	54
	12. Number of States with formal evaluation programs in place	NA	NA	NA	NA	56	56	56	56
	13. Number of submittals evaluated and reports submitted	112	168	280	250	196	196	196	196
	14. Number of new program briefs submitted to SAA					280	280	280	280
End Outcomes	15. Number of States that implemented programs to address National Priorities	31	53	56	56	56	56	56	56
	- Crime and Violence Prevention	35	53	56	56	56	56	56	56
	- Alternative Dispute Resolution	44	50	56	56	56	56	56	56
	- Interagency Coordination/Confidentiality Initiatives	51	56	56	56	56	56	56	56
	16. Number of states receiving DARE or other prevention training	-	1043	-	28,000	30,000	30,000	30,000	30,000
	17. Number of interjurisdictional task forces	-	800	-	795	800	800	800	800
	18. Number of officers receiving drug treatment services	-	123,000	-	100,000	90,000	90,000	90,000	90,000
	20. Number of States in compliance with Criminal Justice Records Improvement Program goals	0	0	0	0	2	2	2	2

Productivity/ Efficiency	21. Number of State applications approved by BJA within the 45 day review period	-	54	54	56	54
	22. Proportion of funds awarded by States within:					
	- First year after award	50	50	50	50	50
	- Second year after award	80	80	80	80	80
	- Third year after award	98	98	100	100	99
	23. Number of State awards extended by BJA	-	-	-	50	40

A. Definitions of Terms or Explanations for Indicators:

#2 Under 1994 - supplemental awards were made due to States coming into compliance and distribution of funds from states not in compliance with HIV requirements.

#6 Includes projects co-sponsored by U.S. Attorney.

#10A11 CNDJ and American States are exempt from the DNS requirement.

#13, 16, 18, & 19 Information is estimated based on the number of programs funded or also within state, plus workshop results for #13.

#18 Multi-jurisdictional task forces should be generating fewer arrests over time due to the re-focusing of these programs on higher-level offenders, as well as the specialized nature of many of the arrest efforts.

#20 The purpose of the Criminal Justice Research Improvement Program is to move States to the goals listed, the underlying premise being that no State's records could meet the tests of currency, accuracy, and completeness at the 95% rate until after 1997.

B. Factors Affecting FY 95 Program Performance.

NA

C. Factors Affecting Selection of FY 96 and 97 Targets.

- o A substantial training effort for BJA personnel occurred in FY 1995 should increase several intermediate outcome and end outcome figures.
- o Increasing success by States with soliciting CJRI on-site and other State and Federal funds for criminal history improvement should rapidly increase the number of states in compliance with both CJRI goals and DNS phase II compliance. As more States project realistic data for meeting CJRI goals expressed in the legislation, BJA will undertake more detailed performance indicators for this requirement.
- o Legal and policy interpretations concerning program requirements and changes in National priorities may lead to expansion or contraction of the end outcome indicators used. Intermediate outcome factors should remain the same.

PERFORMANCE MEASUREMENT TABLE: PRESENTED BY DECISION UNIT

NAME OF DECISION UNIT: Edward Byrne Memorial State and Local Law Enforcement Assistance Discretionary Grant Program		PERFORMANCE TARGETS AND ACTUAL RESULTS						
Type of Indicator	Performance Indicators	1993		1994		1995		1997 Target
		Actual	Target	Actual	Target	Actual	Target	
Input	1. Number of applications received	280	290	400	400	400	210	600
Output/Activity	2. Number of applications reviewed	280	290	400	400	400	210	600
	3. Number of per month conducted	8	24	15	7	10	10	43
	4. Number of events made	179	175	175	175	175	175	220
Intermediate Outcomes	5. Number of exhibiting city visits made	100	100	110	110	110	100	180
	6. Number of other conferences held	8	10	10	10	10	10	18
End Outcomes	7. Number of practitioners trained	17,000	9,000	9,000	9,000	9,000	9,000	9,000
	8. Number of practitioners receiving technical assistance	210	500	500	500	500	500	500
	9. Number of program models/prototype developed	11	5	5	5	5	5	13
	10. Number of program models/prototype disseminated	13	10	10	10	10	10	13
	11. Number of publications distributed	203,000	450,000	450,000	450,000	417,883	459,583	500,847
	12. Number of training materials developed	2	3	3	3	5	5	7
	13. Number of juvenile grant projects funded to replicate discretionary grant programs	600	800	800	1,000	1,000	1,200	1,500
Predictor/Efficiency	14. Average staff hours per grant award	80	80	60	60	60	60	30
	15. Average number of grants per program manager	20	20	23	33	30	30	30
	16. Average number of staff hours per grant devoted to monitoring	20	20	20	30	30	30	60
A. Definitions of Terms or Explanations for Indicators:								
NA.								
B. Factors Affecting FY 95 Program Performance:								
<p>o The 1995 grant awards are in the process of being made. The estimates may change as awards are made.</p> <p>o The number of the Discretionary Grant Program awards being awarded may vary from year to year depending on the funds allocated for training and the type of training conducted.</p> <p>o The number of practitioners will vary from year to year depending on the funds allocated for training and the type of training conducted.</p>								
C. Factors Affecting Selection of FY 96 and 97 Targets:								

- The targets for 1996 and 1997 may change as a result of Congressional reprogramming of the funds for specific programs.
- The number of applications received and the number of grants awarded are expected to increase in 1996 and 1997 because of a new BIA policy which will provide a decreasing funds allotment for continuation events. However, the amounts in the 1996 Conference Bill will significantly diminish the funds available for new competitive programs and markedly decrease the... ongoing activities.
- The average number of staff hours per grant award is expected to decrease and the average number of staff hours devoted to monitoring is expected to increase as BIA increases the grant award process, making staff resources to be devoted to program monitoring and technical assistance.
- The number of staff resources for the Discretionary Grant Program such as program monitors or training coordinators may take several years to develop. Therefore, the number per year will vary.
- The number of practitioners involved will vary from year to year depending on the funds allocated from training and the type of training conducted.

Office of Justice Programs
State and Local Law Enforcement Assistance
Financial Analysis - Program Changes
(Dollars in Thousands)

	State and Local Law Enforcement Assistance Pos.	WY Amount
Byrne Formula Grants.....	---	---
Byrne Discretionary Grants.....	==	==
Total	---	---

1900

Office of Justice Programs
State and Local Law Enforcement Assistance
Status of Congressionally Requested
Studies, Reports, and Evaluations

1. Section 810 of the Omnibus Crime Control and Safe Streets Act of 1968, as amended, requires the Assistant Attorney General, the Director of the Bureau of Justice Assistance, the Director of the Bureau of Justice Statistics, and the Director of the National Institute of Justice to submit to the President and the Speaker of the House of Representatives and the President of the Senate by April 1 of each year, a report on their activities from the preceding fiscal year. The Fiscal Year 1995 Annual Report for each unit is expected to be submitted in April 1996.
2. Section 516(c)(2)(A) of the Omnibus Crime Control and Safe Streets Act of 1968, as amended, requires the Director of the Bureau of Justice Assistance, no later than 180 days after funds are appropriated, to submit to the President and Congress a report describing rules that were issued to carry out Chapter B Correctional Options Grants. The Fiscal Year 1995 Report is expected to be submitted in April 1996.
3. Section 522(b) of the Omnibus Crime Control and Safe Streets Act of 1968, as amended, requires the Director of the Bureau of Justice Assistance, no later than 180 days after the end of each fiscal year, to submit to Congress a report that includes with respect to each State (1) the aggregate amount of grants made under subpart 1 and subpart 2 to such State for such fiscal year; (2) the amount of such grants awarded for each of purposes specified in subpart 1; (3) a summary of the information provided in compliance with paragraphs (1) and (2) of subsection (a); (4) an explanation of how Federal funds provided under this part have been coordinated with Federal funds provided to States for drug abuse education, prevention, treatment, and research activities; and (5) evaluation results of programs and projects and State strategy implementation. The Fiscal Year 1995 Annual Report is expected to be submitted in April 1996.
4. Section 1406(b) of the Omnibus Crime Control and Safe Streets Act of 1968, as amended, requires that the Director of the Bureau of Justice Assistance, no later than 90 days after the end of each fiscal year for which grants are made, to submit to Congress a report that includes, with respect to each State, (1) the aggregate amount of grants made under this title to each State for the fiscal year, and (2) a summary of the information provided in compliance with subsection (a)(1). In 1995, no funds were provided for Grants for Closed-Circuit Televising of Testimony of Children Who Are Victims of Abuse; therefore no report will be filed.

Office of Justice Programs
State and Local Law Enforcement Assistance
Summary of Changes
(Dollars in Thousands)

	Amount
1998 President's Request.....	\$388,000
1998 Appropriation Anticipated.....	388,000
1997 Base.....	388,000
Program Changes:	
Byrne Formula Grants.....	(328,000)
Byrne Discretionary Grants.....	(60,000)
Total, Program Changes.....	(388,000)
1997 Estimate.....	0

Office of Justice Programs
State and Local Law Enforcement Assistance
Summary of Requirements by Object Class
(Dollars in Thousands)

Object Class	1993 Actual		1994 Estimate		1997 Request		Increase/Decrease	
	FTE	Amount	FTE	Amount	FTE	Amount	FTE	Amount
11.1 Full-Time Personnel	-	-	-	-	-	-	-	-
11.3 Other Than Full-Time	-	-	-	-	-	-	-	-
11.5 Other Personnel Compensation	-	-	-	-	-	-	-	-
11.6 Special Personnel Services Paym	-	-	-	-	-	-	-	-
Total	0.0	0	0.0	0	0	0	0	0
Other Objects	-	-	-	-	-	-	-	-
12 Personnel Benefits	-	-	-	-	-	-	-	-
13 Benefits for Former Personnel	-	-	-	-	-	-	-	-
21 Travel and Transportation of Persons	-	-	-	-	-	-	-	-
22 Transportation of Things	-	-	-	-	-	-	-	-
23.1 GSA Rent	-	-	-	-	-	-	-	-
23.2 Rental Payments to Others	-	-	-	-	-	-	-	-
23.3 Communications, Utilities, and Misc.	-	-	-	-	-	-	-	-
24 Printing and Reproduction	-	\$59	-	-	-	-	-	-
25.1 Consulting Services	-	-	-	-	-	-	-	-
25.2 Other Services	-	2,552.0	-	\$2,494	-	-	-	(\$2,494)
25.3 Purchases of Goods and Services from Government Accounts	-	-	-	28,047	-	-	-	(28,047)
26 Supplies and Materials	-	175	-	-	-	-	-	-
31 Equipment	-	5	-	-	-	-	-	-
41 Grants, Subsidies and Contributions	-	48,015	-	371,212	-	-	-	(371,212)
Total Direct Obligations	-	61,866	-	467,783	-	-	-	(467,783)
Unobligated balance, start of year	-	-	-	(10,194)	-	-	-	10,194
Unobligated balance, transferred in	-	-	-	(3,060)	-	-	-	3,060
Unobligated balance, end of year	-	10,194	-	-	-	-	-	-
Total Requirements	-	62,000	-	386,600	-	-	-	(386,600)
Relation of Obligations to Outlays	-	-	-	-	-	-	-	-
Total Obligations	-	51,808	-	401,753	-	-	-	-
Obligated balance, start of year	-	-	-	32,711	-	547,875	-	-
Obligated balance, transfer in	-	-	-	257,871	-	0	-	-
Obligated balance, end of year	-	(32,711)	-	(547,875)	-	(297,835)	-	-
Adjustments in signed accounts	-	-	-	-	-	-	-	-
Outlays	-	19,098	-	144,460	-	250,040	-	-

* 1993 Actual Outlays do not include \$208 million in outlays from offsetting collections

Office of Justice Programs
Juvenile Justice Programs
Estimates for Fiscal Year 1997
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Office of Justice Programs
Juvenile Justice Programs
Summary Statement

Fiscal Year 1997

For 1997, the Office of Justice Programs (OJP) is requesting a total of \$149,500,000 for the Juvenile Justice Programs account, of which \$4,800,000 is transferred to Justice Assistance for management and administration. In 1996, the juvenile arrest rate for violent crime reached its highest level since statistics were first compiled in 1965. The Office of Juvenile Justice and Delinquency Prevention (OJJDP) has responded to this increase in juvenile violence through the development of a Comprehensive Strategy for Serious, Violent, and Chronic Juvenile Offenders. Designed to provide a comprehensive response to the social crisis we are facing, the Strategy uses statistics, research, and program evaluations as the basis for a set of sound principles for establishing a continuum of care for our children. The Comprehensive Strategy emphasizes the importance of local planning teams to assess the factors that put youth at risk for delinquency, determine available resources, and put in place prevention programs that either reduce those risk factors or provide protective factors that buffer juveniles from the impact of risk factors. The Strategy also stresses the importance of early intervention for juveniles whose behavior puts them on one or more pathways to delinquency and calls for a system of graduated sanctions to ensure immediate and appropriate accountability and treatment for juvenile offenders. OJJDP will continue to implement this comprehensive strategy that focuses resources on programs designed to prevent delinquency and identify and intervene effectively with serious, violent, and chronic offenders. These efforts are enhanced through the use of the Formula Grants Program, which also assists States in attaining compliance with requirements to deinstitutionalize status offenders, remove juveniles from adult jails and lock-ups, separate juvenile and adult offenders in institutions at the State and local levels, and address the over-representation of minority youth in secure facilities. Also, the OJJDP will continue programs related to Community-Based Gang Intervention, State Challenge Activities, Mentoring and Incentive Grants for Local Delinquency Prevention Programs. The requested funding level of \$144,700,000 includes funding for all programs at the 1996 funding level, plus an additional \$1 million for the expansion of Part D, the Comprehensive Gang Program. The Victim of Child Abuse program is aimed at improving the investigation and prosecution of child abuse nationwide; providing a Court Appointed Special Advocate to every victim of child abuse or neglect in the country when needed; developing and implementing child abuse investigation and prosecution programs through regional and local children's advocacy centers; and developing and implementing model training and technical assistance programs to improve the handling of abuse and neglect cases by juvenile and family courts. The 1997 request level of \$4,500,000 for the Child Abuse program excludes funding for the Court Appointed Special Advocates (CASA) program and the training of judicial personnel involved in child abuse cases. Funding of \$6,750,000 for these programs is included under the Violent Crime Reduction Programs (VCRP) proposal. The VCRP proposal also includes \$50,000 for grants for televised testimony of children, which is a new program funded in 1996.

1906

Office of Justice Programs
Juvenile Justice Programs
Justification of Proposed Changes in Appropriated Language

Juvenile Justice Programs

For grants, contracts, cooperative agreements, and other assistance authorized by the Juvenile Justice and Delinquency Prevention Act of 1974, as amended, including salaries and expenses to be transferred to and merged with the appropriations for Justice Assistance, \$145,000,000, to remain available until expended, as authorized by section 208 of part I of title II and section 506 of title V of said Act, of which funds shall be available as follows: (1) \$100,000,000, for expenses authorized by parts A, B, and C of title II of said Act; (2) \$11,000,000, for expenses authorized by section 201 and 202 of part D of title II for prevention and treatment programs relating to juvenile groups; (3) \$10,000,000, for expenses for part E of title II of the Act; (4) \$4,000,000, for expenses authorized by part G of title II of the Act for juvenile monitoring programs; and (5) \$20,000,000, for expenses authorized by title V of the Act for incentive grants for local delinquency prevention programs.

In addition, for grants, contracts, cooperative agreements, and other assistance authorized by the Victims of

Child Abuse Act of 1990, as amended, \$4,500,000, to remain available until expended, as authorized by sections 2148, 218, and 224 of the Act.

Note. A regular 1996 appropriation for this account has not been enacted at the time this budget was prepared. The 1996 amounts included in this budget are based on the levels provided in three continuing resolutions: P.L. 104-91, P.L. 104-92, and P.L. 104-99.

Office of Justice Programs
 Juvenile Justice Programs
 Crosswalk of 1998 Changes
 (Dollars in thousands)

Activity/Program	1998 President's Budget Request	Transfers	1998 Conference Allowance
Title II - Juvenile Justice and Delinquency Prevention	\$100,000	(84,800)	\$95,200
Part D - Youth Gangs	10,000	—	10,000
Part E - State Challenge	10,000	—	10,000
Part G - Juvenile Mentoring	4,000	—	4,000
Title V - Incentive Grants, Local Delinquency Prevention	20,000	—	20,000
Subtotal.....	144,000	(4,800)	139,200
Victims of Child Abuse: Improving Investigation and Prosecution of Child Abuse	4,500	—	4,500
TOTAL, Juvenile Justice Programs.....	148,500	(4,800)	143,700

Transfer. Reflects \$4.8 million to Management & Administration, authorized to be administered through the Justice Assistance Account.

1909

Office of Justice Programs
Juvenile Justice Programs
Summary of Requirements
(Dollars in thousands)

	Perm. Pos.	Work- Years	Amount
Adjustment to Base:			
1998 President's request.....	\$148,500
Transfer to Justice Assistance appropriation for management and administration.....	-4,800
1998 Appropriation Anticipated.....	143,700
1997 Base.....	143,700
Program Changes (See Program Narrative for Details).....	1,000
1997 Estimate.....	144,700

	1998 Appropriation Anticipated				1997 Base				1997 Estimate				Increase/Decrease	
	Perm Pos.		WY		Perm Pos.		WY		Perm Pos.		WY			
	Amount		Amount		Amount		Amount		Amount		Amount		Perm Pos.	WY
Estimates by Budget Activity														
1. Title II - Juvenile Justice and Delinquency Prevention.....	\$95,200	..	..	..	\$95,200	..	..	..	\$95,200	..	..	..
2. Part D - Gang-free Schools and Communities.....	10,000	..	..	..	10,000	..	..	..	11,000	..	..	1,000
3. Part E - State Challenge Activities.....	10,000	..	..	..	10,000	..	..	..	10,000	..	..	..
4. Part G - Mentoring.....	4,000	..	..	..	4,000	..	..	..	4,000	..	..	..
5. Title V - Incentive Grants for Local Delinquency Prevention.....	20,000	..	..	..	20,000	..	..	..	20,000	..	..	..
6. Victims of Child Abuse.....	4,500	..	..	..	4,500	..	..	..	4,500	..	..	..
Total.....	143,700	..	..	..	143,700	..	..	..	144,700	..	..	1,000

1910

Office of Justice Programs
Juvenile Justice Program
Summary of Resources by Program
(Dollars in Thousands)

Estimates by Program	1986 Budget			1986 Actual			1986 Appropriation			1987 Base			1987 Estimate			Increase/Decrease		
	Perm	Pos.	WT	Amount	Perm	Pos.	WT	Amount	Perm	Pos.	WT	Amount	Perm	Pos.	WT	Amount	Perm	Pos.
Juvenile Justice and Delinquency																		
Prevention:																		
Female youth:																		
Female youth:	—	—	—	\$4,205	—	—	—	\$4,205	—	—	—	\$4,205	—	—	—	\$4,205	—	—
State individual assistance:	—	—	—	528	—	—	—	528	—	—	—	1,400	—	—	—	1,400	—	—
Special programs:	—	—	—	9,790	—	—	—	10,483	—	—	—	9,790	—	—	—	9,790	—	—
National Institute of Juvenile																		
Justice & delinquency prevention:	—	—	—	15,290	—	—	—	12,915	—	—	—	15,290	—	—	—	15,290	—	—
Contribution of federal efforts:	—	—	—	200	—	—	—	148	—	—	—	200	—	—	—	200	—	—
Part D - Other:	—	—	—	10,000	—	—	—	8,119	—	—	—	10,000	—	—	—	11,000	—	—
Part E - Juvenile Challenge:	—	—	—	10,000	—	—	—	9,790	—	—	—	10,000	—	—	—	10,000	—	—
Part G - Juvenile Monitoring:	—	—	—	4,000	—	—	—	3,841	—	—	—	4,000	—	—	—	4,000	—	—
Total V - Local Delinquency Prevention:	—	—	—	20,000	—	—	—	19,967	—	—	—	20,000	—	—	—	20,000	—	—
Subtotal:	—	—	—	138,290	—	—	—	129,895	—	—	—	138,290	—	—	—	140,290	—	—
Victims of Child Abuse:																		
Child abuse judicial training:	—	—	—	790	—	—	—	748	—	—	—	0	—	—	—	0	—	—
Court appointed special advocates:	—	—	—	6,000	—	—	—	6,000	—	—	—	0	—	—	—	0	—	—
Improving investigation and																		
prosecution of child abuse:	—	—	—	4,800	—	—	—	4,800	—	—	—	4,800	—	—	—	4,800	—	—
Subtotal:	—	—	—	11,290	—	—	—	11,248	—	—	—	4,800	—	—	—	4,800	—	—
TOTAL - Juvenile Justice:	—	—	—	150,480	—	—	—	141,201	—	—	—	143,090	—	—	—	145,090	—	—

* Starting in 1988, these programs will be funded from the Violent Crime Reduction Program.

Office of Justice Programs
Juvenile Justice Program
Reimbursable Resources
Summary of Requirements
(Dollars in Thousands)

Financing:	1998 Actual		1998 Estimate		1997 Request		Increase/Decrease	
	Pos.	WY Amount	Pos.	WY Amount	Pos.	WY Amount	Pos.	WY Amount
Collections by Source:								
Department of the Army.....	—	\$340	—	\$6,750	—	—	—	\$6,750
Department of Commerce.....	—	242	—	425	—	—	—	425
Department of Education.....	—	860	—	1,000	—	—	—	1,000
Department of Health and Human Services.....	—	100	—	575	—	—	—	575
Department of Justice, COPS.....	—	—	—	1,250	—	—	—	1,250
Department of Transportation.....	—	75	—	—	—	—	—	—
National Endowment for the Arts.....	—	100	—	—	—	—	—	—
Budgetary Resources.....	—	1,717	—	10,000	—	—	—	10,000
Obligations by Program:								
Juvenile Justice.....	—	1,717	—	10,000	—	—	—	10,000
Total.....	—	1,717	—	10,000	—	—	—	10,000
Source of Reimbursement:								
Department of the Army.....	—	340	—	6,750	—	—	—	6,750
Department of Commerce.....	—	242	—	425	—	—	—	425
Department of Education.....	—	860	—	1,000	—	—	—	1,000
Department of Health and Human Services.....	—	100	—	575	—	—	—	575
Department of Justice, COPS.....	—	—	—	1,250	—	—	—	1,250
Department of Transportation.....	—	75	—	—	—	—	—	—
National Endowment for the Arts.....	—	100	—	—	—	—	—	—
Budgetary Resources.....	—	1,717	—	10,000	—	—	—	10,000

Good and Barriers Provided: Resources from Federal agencies for joint projects related to juvenile justice and delinquency prevention administered by the Office of Juvenile Justice and Delinquency Prevention.

**Office of Justice Programs
Juvenile Justice Programs
Program Performance Information
Government Performance and Results Act Requirements**

MISSION: To implement a comprehensive strategy that focuses resources on programs designed to prevent delinquency, identify and intervene effectively with serious, violent, and chronic offenders and improve the juvenile justice system. The Comprehensive Strategy for Serious, Violent, and Chronic Juvenile Offenders stresses the importance of early intervention for juveniles whose behavior puts them on one or more pathways to delinquency and of having a system of graduated sanctions that can ensure immediate and appropriate accountability and treatment for juvenile offenders. Such a comprehensive strategy shall include aid to State and local units of government, public and private agencies, organizations and institutions in the prevention, reduction, and treatment of juvenile crime and delinquency and to improve the administration of juvenile justice by providing financial and technical support; improvement of the investigation and prosecution of child abuse nationwide through the provision of training, publications and technical assistance services; and development and implementation of multi disciplinary child abuse investigation and prosecution programs through regional and local children's advocacy centers.

ORGANIZATIONAL GOALS:

1. Develop, demonstrate, and disseminate information on prevention and treatment programs relating to serious and violent juvenile crime, and gangs.
2. Develop and test program models based on a synthesis of research and field experience for preventing and controlling juvenile delinquency and illegal drug use and improving the juvenile justice system.
3. Demonstrate existing programs for preventing and controlling juvenile delinquency and illegal drug use that are determined to be effective in a variety of jurisdictions.
4. Provide technical assistance to State and local governments, and other service providers, in the development and implementation of programs related to deinstitutionalization, separation, jail removal, disproportionate minority confinement, juvenile delinquency and other programs to improve the juvenile justice system.
5. Improve the quality of local and Federal child abuse prosecution by assisting elected or appointed prosecutors in identifying and implementing improved policies, procedures, and management practices of the office and to keep State and Federal prosecutors abreast of the state-of-the-art of child abuse

prosecution by assisting them in identifying and meeting training needs of prosecutors and by assisting them to understand the impact of legislation relating to child abuse.

6. Bring knowledge and expertise of the prosecutorial community to the attention of other organizations and disciplines that share responsibility for the handling of child abuse.
7. Establish a children's advocacy program to: (1) focus attention on child victims by assisting communities in developing child-focused, community-oriented, facility-based programs designed to improve the resources available to children and families; (2) provide support for non-offending family members; (3) enhance coordination among community agencies and professionals involved in the intervention, prevention, prosecution, and investigation systems that respond to child abuse cases; and (4) train physicians and other health care and mental health care professionals in the multi disciplinary approach to child abuse so that trained medical personnel will be available to provide medical support to community agencies and professionals involved in the intervention, prevention, prosecution, and investigation systems that respond to child abuse cases.
8. Conduct research that can be applied to the development of programs for preventing and controlling juvenile delinquency and illegal drug use and improving the juvenile justice system.
9. Disseminate information produced by research, development, and demonstration activities through training, technical assistance, and clearinghouse activities.
10. Provide for auditing state monitoring compliance systems and to oversee required corrective actions.
11. Facilitate, through provision of technical/financial resources and national leadership:
 - a. Full compliance with the requirement that status offenders and non offenders not be held in secure detention and correctional facilities.
 - b. Separation of juveniles found to be delinquent, or status offenders, from adult persons incarcerated for criminal offenses in secure facilities.
 - c. Removal of juveniles held in adult jails and lockups in all states and territories that participate in the Juvenile Justice and Delinquency Prevention (JJDP) Program.
 - d. Development and maintenance of compliance monitoring systems as required by Section 223(a) (15) of the Act for purposes of supporting maintenance of compliance with the deinstitutionalization, separation and jail removal requirements.
 - e. Compliance with the mandate that participating states address the over representation of minority youth in secure facilities.

Office of Justice Programs
Juvenile Justice Programs
Program Performance Information
(Dollars in thousands)

Juvenile Justice Programs	Amount
1996 Appropriation Anticipated	\$139,200
1997 Base	139,200
1997 Estimate	140,200
Increase/Decrease	1,000

BASE PROGRAM DESCRIPTION: The Formula Grant Program represents 70% of the total amount appropriated for Parts A, B, and C JNDP programs. The Formula Grant Program provides funds to States on the basis of population under the age of 18. To receive its allocated funds, a State or Territory must submit a three-year comprehensive plan that meets statutory criteria. Funds may be expended for innovative programs to prevent delinquency, divert juveniles from the system, provide community-based alternatives to secure confinement, and to provide programs for juveniles who commit serious crimes. In 1994, 35 States and Territories participated in the program. Under the 1992 amendments to the JNDP Act, beginning in 1994, States must demonstrate compliance with the deinstitutionalization, separation, jail removal, and minority over representation requirements in order to qualify for their formula grant program allocation. Failure to comply with these requirements will result in a 25 percent reduction in a State's allocation for each such failure. In 1995, two states received reduced funding (25%) because of compliance issues.

The National Institute for Juvenile Justice and Delinquency Prevention (NIJ/JDP), within the Office of Juvenile Justice and Delinquency Prevention (OJJDP), conducts research, evaluation and program development activities to increase understanding of the risk factors for delinquency and the effects of alternative juvenile justice policies. This information is applied to the development of promising program models, through joint initiatives with the Special Emphasis program and other OJP agencies and Federal Agencies. The NIJ/JDP also serves as an information collection and dissemination center for the Office. Information on statistics and trends regarding juvenile delinquency, promising programs, and innovative juvenile justice policies and procedures are disseminated through clearinghouse, training, and technical assistance activities.

New program development efforts funded by the Special Emphasis Division address a wide range of national juvenile justice issues by developing and testing prototypes and demonstrating effective programs. Program information generated throughout the development process is disseminated to the field. Competitive awards

are made to support comprehensive planning and program development in many areas impacting high risk youth, as well as serious and violent juvenile offenders. The design and implementation of these new efforts are coordinated with NJODP and the State Relations and Assistance Division.

OJDP, through the Coordinating Council on Juvenile Justice and Delinquency Prevention, coordinates and concentrates Federal resources on the problems of delinquency and the operations of the juvenile justice system. This includes the development of Federal youth policy and joint programs to target high risk youth.

Through the Mentoring Program three-year grants are made to local agencies for programs designed to link at-risk youth with responsible adults to provide guidance, promote personal and social responsibility, increase educational participation, discourage use of illegal drugs, violence, weapon use, and other criminal activity, discourage gang involvement, and encourage participation in community service and activities.

Incentive Grants for Local Delinquency Prevention Programs are awarded, through State advisory groups, to units of local government for a broad range of delinquency prevention programs and activities to benefit youth who have had contact with or are likely to have contact with the juvenile justice system. Services to children, youth and families include recreation, tutoring and remedial education, work skills, health and mental health, alcohol and substance abuse prevention, leadership development, and accountability. Priority is given to localities that coordinate and collaborate in provision of services, involve the private nonprofit and business sectors and develop or enhance a statewide subsidy program to local governments that is dedicated to early intervention and delinquency prevention.

The State Challenge Activities Program authorizes the Administrator to award grants to States participating in the Formula Grants program, in the amount of 10 percent of the State's Formula Grant allocation, for each of the challenge activities that the State agrees to undertake. There are 10 Challenge Activities:

1. basic health, mental health and education services for youth in the juvenile justice system;
2. access to counsel for youth in the juvenile justice system;
3. programs and criteria to increase use of community-based alternatives through objective detention and correction placement criteria;
4. establishing secure community-based corrections options for violent juvenile offenders as an alternative to training schools;
5. policies to prohibit gender bias and provide female youth with a full range of system services;
6. establishment of a state ombudsman office for complaints related to out-of-home care of juveniles;
7. appropriate removal of status offenders from juvenile court jurisdiction;
8. alternatives to school suspension and expulsion;

9. comprehensive aftercare service programs; and
 10. establish a state administrative structure to coordinate program and fiscal policies for youth with emotional and behavioral problems and a statewide case review system.

PROGRAM CHARGES:

Title II- Juvenile Justice and Delinquency Prevention
 Part D- Gang-Free Schools and Communities: Community Based Gang Intervention

Amount
 \$1,000

This initiative seeks to address the following objectives:

An increase of \$1 million is requested for Part D discretionary programs. As the sophistication of crime data collection and analysis increases, we begin to realize the true magnitude of the gang problem in America and how quickly the problems are multiplying. For example, in 1992 a National Institute of Justice survey of 79 large city and 43 smaller city police departments revealed that 110 jurisdictions reported a gang presence in the previous 12 months. More specifically, the survey identified 249,324 gang members, 4,881 gangs, and 46,359 gang-related crimes. In 1994, this research was updated through an extended survey which revealed a "very conservative" estimate of 8,625 gangs, 403,670 gang members, and 439,535 gang-related crimes in 1993. The researcher responsible for this survey further estimated that a "more reasonable" estimate of the national-level gang problem would reveal over 16,000 gangs and more than 550,000 gang members and gang incidents.

An increase of \$1 million for Part D will allow OJJDP to expand its Comprehensive Gang Program. This program, based primarily on a nationwide assessment of gang problems sponsored by OJJDP, includes (1) testing community-based program models, (2) evaluation of these program models, (3) the establishment of a Youth Gang Center to assist communities, (4) continuation of the Office's gang training program, and (5) initiating a survey of the presence of gangs in American cities and the extent of the violence they commit. The additional \$1 million requested will enable OJJDP to enhance the existing sites as well as test a variety of community-based program models in additional cities, conduct additional evaluation of the new programs, continue the city survey, expand the Youth Gang Center, provide technical training teams to assist chronic and emerging gang cities in documenting their gang crime problems in order to provide for a more accurate estimate of the national-level problem, convene a national gang conference, develop and disseminate new products including findings from early implementation efforts in the Comprehensive Gang Program, and support new research on gang related issues.

Victims of Child Abuse Act	Amount
1996 Anticipated Appropriation	\$4,500
1997 Base	4,500
1997 Estimate	4,500
Increase/Decrease	...

BASE PROGRAM DESCRIPTION: In 1992, amendments to the Victims of Child Abuse Act of 1990, P.L. 101-647, changed the administering agency for the investigation and prosecution of Child Abuse Program from the Office for Victims of Crime (OVC) to the Office of Juvenile Justice and Delinquency Prevention (OJJDP). Since 1993, of the total appropriation, Congress has made \$1.5 million available annually for a grant to the American Prosecutor Research Institute's (APRI) National Center for the Prosecution of Child Abuse (Center). For 1997, the base funding level of \$1.5 million is being requested. The APRI Center provides publication services, training, and technical assistance to prosecutors and other professionals involved in the prosecution of child abuse at the state, local and Federal levels. The Center's staff attends conferences and workshops throughout the country to train in techniques for the effective prosecution of child abuse. In addition, APRI's Center serves as an information clearinghouse for prosecutors, social workers, therapists, law enforcement, and clinicians involved in the prosecution of child abuse. In 1994, Congress provided for the first time an appropriation of \$800,000 for Regional Children's Advocacy Centers and \$1 million for Local Advocacy Centers. In 1995, \$800,000 was again provided for Regional Children's Advocacy Centers and \$1 million was provided for Local Advocacy Centers, an increase of \$1 million over 1994. Currently, OJJDP is implementing this program initiative for regional and local advocacy centers. Congress also provided \$800,000 in 1995 for the National Network of Children's Advocacy Centers. These Centers had previously been funded within the Title II - Juvenile Justice and Delinquency Prevention-activity. Continuation funding at the 1995/96 level is recommended for the Children's Advocacy Centers Program in 1997.

PERFORMANCE MEASUREMENT TABLE: PRESENTED BY DECISION UNIT

NAME OF DECISION UNIT: Juvenile Justice Program		PERFORMANCE TARGETS AND ACTUAL RESULTS									
PERFORMANCE INDICATOR INFORMATION											
Type of Indicator	Performance Indicators	1993 Actual	1994 Actual	1995 Target	1995 Actual	1996 Target	1997 Target				
Input	1. Number of applications received for Title II, Formula Grant applications.	—	—	57	56	57	55				
	2. Number of Title V - Prevention Incentive On-site applications received.	—	52	56	54	56	56				
	3. Number of Part B - Challenge Grant applications received.	—	—	56	53	56	56				
	4. Discretionary grant program designed and developed.	5	26	14	12	18	18				
	5. Number of technical assistance/training requests received.	51,203	28,484	51,199	30,623	32,952	34,450				
Output/Activity	6. Number of formula grant awards made.	55	55	57	55	57	57				
	7. Number of discretionary applications/concept papers reviewed.	408	1,078	756	470	416	431				
	8. Number of discretionary awards made.	54	177	109	187	102	105				
	9. Number of responses to technical assistance/training requests.	24,801	25,646	33,620	33,390	32,919	34,744				
Intermediate Outcomes	10. Number of State Agency personnel and State Advisory Group members trained on JIDP Act requirements.	—	250	300	160	300	300				
	11. Number of community leaders trained on Title V risk focused prevention.	—	2,500	2,500	1,982	1,000	1,000				
	12. Number of on-site monitoring visits to States.	—	55	25	11	25	25				
	13. Number of on-site compliance audits in States.	—	—	10	18	10	10				
	14. Number of monitoring site visits made and of planning/ dissemination/ coordination conducted (discretionary).	224	492	361	350	276	285				
	15. Number of States in compliance with core requirements: - section 225(a)(13) - section 225(a)(15) - section 225(a)(16) - section 225(a)(23)	—	54	54	54	56	56				
End Outcomes	16. Number of communities implementing Title V risk focused prevention programs.	—	52	54	54	56	56				
	17. Number of Challenge Activities implemented by States.	—	—	150	97	300	450				
	18. Number of practitioners trained (excludes trainers).	—	—	50	115	56	56				
	19. Number of jurisdictions receiving technical assistance.	—	—	31,548	32,249	35,536	37,093				
	20. Number of program models/prototypes developed.	—	—	1,591	2,288	1,514	1,639				

Office of Justice Programs
 Juvenile Justice Programs
 Financial Analysis - Program Changes
 (Dollars in thousands)

	Title II - Juvenile Justice & Delinquency Prevention Pos.	WY	Amount
Grants, Subsidies and Contributions.....	---	---	1,000
Total	---	---	1,000

Office of Justice Programs
Juvenile Justice Programs

Status of Congressionally Requested
Studies, Reports, and Evaluations

1. Section 207 of the Juvenile Justice and Delinquency Prevention Act of 1974, as amended, requires the Administrator of the Office of Juvenile Justice and Delinquency Prevention to submit an annual report to the President and Congress within 180 days after the end of each fiscal year. The report must contain: (1) a detailed summary and analysis of juvenile custody data, including offender type, offense, race, gender, age, facility type, death rate information and educational status; (2) a description of part A funded activities; (3) a description of each State's compliance with Section 223 and the State plan; (4) a summary of each part C or part D funded program or activity, evaluation information and an assessment of replication potential; and (5) a description of exemplary delinquency prevention programs funded under title II. The report for Fiscal Year 1995 is due March 31, 1996, and is expected to be submitted by June 30, 1996.
2. Section 248(a) (6) of the Juvenile Justice and Delinquency Prevention Act of 1974, as amended, requires that not later than 180 days after enactment of the 1992 amendments (November 4, 1992), the Administrator shall begin to conduct a study on the incidence, nature and causes of violence committed by or against juveniles in urban and rural areas. The study is to be completed and a report submitted to Congress discussing and summarizing the results, within three years (by November 4, 1995).

OJJDP awarded four grants to study the incidence, nature and causes of violence committed by or against juveniles in urban and rural areas. The first two studies (Wisconsin and South Carolina) were funded with 1993 funds and will end in September 1996. The second two studies (Washington, D.C. and Los Angeles, CA) were competitively awarded with 1994 funds. Because of the nature of the competitive award process, these studies were delayed. OJJDP will submit an interim report on all four grants to Congress by April 30, 1996. The final reports on the Wisconsin and South Carolina projects will be submitted to Congress in December 1996 and the final reports on Washington, D.C. and Los Angeles projects will be submitted in December 1997.
3. Section 248(a) (7) of the Juvenile Justice and Delinquency Prevention Act of 1974, as amended, requires that not later than one year after the date of enactment of this subsection (November 4, 1993), the Administrator shall submit a report to Congress on hate crimes, including characteristics of juveniles who commit such crimes, the crimes themselves and their victims. OJJDP's response to the Congressional mandate for a report on juvenile involvement in hate and bias crimes was delayed largely because of the competitive award process. On September 30, 1993, OJJDP awarded the West Virginia University a grant to complete an assessment of the data available and the nature and extent of juvenile involvement in hate and bias crimes. The draft reports

from this study were submitted to OJDP in the Fall of 1995. OJDP will submit a report on this study to Congress by April 30, 1996.

4. Section 288H of the United States Code requires the Administrator of the Office of Juvenile Justice Delinquency and Prevention (OJDP) to submit to Congress, no later than 120 after the completion of the first cycle of Mentoring grants, a report regarding the success and effectiveness of the grant program in reducing juvenile delinquency and gang participation, improving academic performance, and reducing the dropout rate. OJDP awarded 41, 3 year grants that end in June 1998. The Administrator's report is expected to be submitted by October 1998.

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Office of Justice Programs
 Juvenile Justice Programs
 1997 Priority Ranking

BASE PROGRAM		PROGRAM INCREASES	
Program	Ranking	Program	Ranking
Juvenile Justice Programs.....	1	Title II - Juvenile Justice and Delinquency & Prevention (Part D - Grants).....	1
Victims of Child Abuse.....	2		

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Office of Justice Programs
Juvenile Justice
Summary of Changes
(Dollars in Thousands)

1998 President's Request.....	Amount
Transfer to other accounts:	148,500
Justice Assistance for Management and Administration	(4,800)
1998 Appropriation Anticipated.....	143,700
1997 Base.....	143,700
Program Change: Part D Discretionary Programs, Ganga	1,000
1997 Estimate.....	144,700

Office of Justice Programs
 Juvenile Justice Programs
 Summary of Requirements by Grade and Object Class
 (Dollars in Thousands)

Object Class	1986 Actual		1986 Estimate		1987 Request		Increase/Decrease	
	FTE	Amount	FTE	Amount	FTE	Amount	FTE	Amount
11.1 Full-Time Permanent.....								
11.3 Other Than Full-Time.....								
11.5 Other Personnel Compensation.....								
11.8 Special Personnel Services Payroll.....								
Total.....	0.0	0	0.0	0	0.0	0.0	0.0	0.0
Other Object Class								
12 Personnel Benefits.....								
13 Benefits for Former Personnel.....								
21 Travel and Transportation of Personnel.....								
22 Transportation of Things.....								
23.1 GSA Rent.....								
23.2 Rental Payments to Others.....								
23.3 Communications, Utilities, and Misc.....								
24 Printing and Reproduction.....		341		3,411		3,485		54
25.1 Consulting Services.....		2,939		1,987		1,912		(75)
25.2 Other Services.....		613						
25.3 Purchase of Goods and Services from Government Accounts.....		1,250		1,459		1,457		(2)
26 Supplies and Materials.....								
31 Equipment.....								
41 Grants, Subsidies and Contributions.....		136,058		151,478		137,888		(13,610)
Total Obligations.....		141,201		189,233		144,700		(19,833)
Unobligated balance, start of year.....				8,249				8,249
Unobligated balance, transferred in.....		9,249		(5,364)				5,364
Unobligated balance, end of year.....								
Total Requirements.....		189,450		143,700		144,700		1,000
Relation of Obligations to Outlays:								
Total Obligations.....		141,201		158,333		144,700		
Obligated balance, start of year.....				133,503		288,591		
Obligated balance, transferred in.....				69,235				69,235
Obligated balance, end of year.....		(133,503)		(288,591)		(305,087)		
Adjustments in appropriated accounts.....								
Outlays.....		7,888		82,480		138,224		

Department of Justice
Office of Justice Programs
Public Safety Officers' Benefits
Estimates for Fiscal Year 1997
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Office of Justice Programs
Public Safety Officers' Benefits
Summary Statement
Fiscal Year 1997

For 1997, the Office of Justice Programs is requesting a total of \$32,326,000 for the Public Safety Officers' Benefits (PSOB) Program. The sum of this request represents the 1997 base funding level.

The PSOB program provides for payment of a death benefit to eligible survivors of Federal, State, and local public safety officers whose death was the direct and proximate result of a traumatic injury sustained in the line of duty. Public safety officers covered by the program include but are not limited to, police, corrections, probation, parole and judicial officers, public ambulance or rescue squad members, and firefighters. The Public Safety Officers' Disability Benefits program is a relatively new program authorized by the Crime Control Act of 1990. Under this program, Federal, State, and local public safety officers are eligible for a disability payment when permanently and totally disabled as the direct result of a catastrophic injury received in the line of duty. The 1997 request provides \$30,126,000 for the Death Benefits program and \$2,200,000 for the Disability Benefits program, which is classified as a discretionary request in Budget Enforcement Act terms.

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Office of Justice Programs
Public Safety Officers Benefits
Justification of Proposed Changes in Appropriated Language

Public Safety Officers Benefits

For payments authorized by part L of title I of the Omnibus Crime Control and Safe Streets Act of 1968 (42 U.S.C. 3796), as amended, such sums as are necessary, to remain available until expended, as authorized by section 6093 of Public Law 100-690, and, in addition \$2,200,000, to remain available until expended, for payments as authorized by section 1201(b) of P.L. 100-690.

Note. A regular 1996 appropriation for this account has not been enacted at the time this budget was prepared. The 1996 amounts included in this budget are based on the levels provided in three continuing resolutions: P.L. 104-91, P.L. 104-92, and P.L. 104-93.

Office of Justice Programs
Public Safety Officers Benefits
Greenwall of 1996 Changes
(Dollars in thousands)

Activity/Program	1996 President's Budget Request		Reprogramming		1996 Conference Allowance	
	Pos.	NY Amount	Pos.	NY Amount	Pos.	NY Amount
Public Safety Officers Benefits Program:						
Death Benefits	—	\$28,474	—	—	—	\$28,474
Disability Benefits	—	2,134	—	—	—	2,134
TOTAL, PSOS	—	30,608	—	—	—	30,608

Office of Justice Programs
Public Safety Officers' Benefits
Summary of Requirements
(Dollars in thousands)

Adjustment to Base:	Perm. Work- Pos. years	Amount
1986 Conference Allowance.....	..	\$30,608
Increase (automatic, non-policy)	1,718
1987 Base/Estimate.....	..	32,326

	1986 Appropriation Anticipated		1987 Base		1987 Estimate		Increase/Decrease	
	Pos.	WY Amount	Pos.	WY Amount	Pos.	WY Amount	Pos.	WY Amount
Estimates by budget activity								
1. Public Safety Officers Benefits Program:								
Death Benefits.....	..	\$28,474	..	\$30,128	..	\$30,128	..	..
Disability Benefits.....	..	2,134	..	2,200	..	2,200	..	..
Total.....	..	30,608	..	32,328	..	32,328	..	..

**(Approved in Accordance
with the Commission's
Policy on Confidentiality
of Information)**

	1985 Budgeted		1985 Actual		1985 Appropriation		1987 Base		1987 Estimate		Interest/Debt	
	From	Est. NY Amount	From	Est. NY Amount	From	Est. NY Amount	From	Est. NY Amount	From	Est. NY Amount	From	Est. NY Amount
Estimates by Program												
POCS Death Benefits	--	\$27,648	--	\$23,794	--	\$26,474	--	\$30,126	--	\$30,126	--	--
POCS Disability Benefits	--	2,272	--	473	--	3,154	--	2,290	--	2,290	--	--
TOTAL	--	\$29,920	--	\$24,267	--	\$29,628	--	\$32,416	--	\$32,416	--	--

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Office of Justice Programs
Public Safety Officers' Benefits
Program Performance Information
Government Performance and Results Act Requirements

MISSION: To provide a death benefit payment to eligible survivors of Federal, State and local public safety officers who have died as a result of personal injury sustained in the line of duty or a disability benefit payment to Federal, State, and local public safety officers who are permanently and totally disabled as the direct result of a catastrophic personal injury received in the line of duty.

ORGANIZATIONAL GOALS:

1. Pay eligible death benefit claims within two weeks of the filing of a fully documented claim and to pay eligible disability benefit claims within six weeks of filing a fully documented claim.
2. Issue determinations on ineligible death benefit claims within four weeks of the filing of the fully documented claim and to issue determinations on ineligible disability benefit claims within six weeks of the filing of the fully documented claim.
3. Conduct an appeal hearing within 60 days of an appellant's request.
4. Issue the appeal determination within 30 days of the official close of the appeal hearing.
5. Handle each death benefit and disability claim with the utmost dignity, sensitivity, and professionalism.
6. Continuously look for opportunities to better serve the public safety community before, during and after tragedies involving the death or disability of public safety officers, e.g., using information available to the PSOB Program Office to enhance officer safety training.

Office of Justice Programs
Public Safety Officers' Benefits
Program Performance Information
 (Dollars in thousands)

Public Safety Officers' Benefits		Amount
1996 Availability		\$30,608
1997 Base		32,326
1997 Estimate		32,326
Increase/Decrease		...

BASIC PROGRAM DESCRIPTION: The Omnibus Crime Control and Safe Streets Act of 1968, as amended by the Public Safety Officers' Benefits Act of 1976, established the Public Safety Officers' Benefits program. The Anti-Drug Abuse Act of 1988 (P.L. 100-690) (42 U.S.C. 3796f), authorized a basic death benefit payment of \$100,000 when a Federal, State or local law enforcement officer, fire fighter, corrections officer, judicial official or public ambulance or rescue squad member dies as the direct and proximate result of a traumatic injury sustained in the line of duty. The Act also provided for an annual cost of living escalator tied to the Consumer Price Index (CPI). Each year on October 1, the death benefit is increased by the percentage of increase in the CPI.

If a spouse and eligible children survive, the widow/widower receives one-half of the benefit and the remaining one-half is apportioned among the children. If there is no spouse, but there are eligible children, the full benefit is apportioned among the eligible children. If there are no eligible children, the spouse receives the full benefit. Parents of a deceased officer are eligible for the death benefit when neither a spouse or eligible children survive the deceased public safety officer.

The Crime Control Act of 1990 authorized the Public Safety Officers Disability Program. Under this Program, Federal, State, and local public safety officers are eligible for the disability payment when permanently and totally disabled as the direct result of a catastrophic injury received in the line of duty on or after November 29, 1990. Each year, the amount of the disability benefit payment is adjusted by the annual percentage change in the CPI. The death and disability benefit increased from \$123,420 in 1993 to \$127,499 in 1994, an increase of 3.3 percent. In 1995, the benefit payment was \$130,416, a 2.3 percent increase over 1994. In 1996, the benefit payment is \$134,571, a 3.2 percent increase over 1995.

Generally, the PBOB program staff receives a death report within a week of the public safety officer's death, usually from the employing agency. When notice is received from other than the employing agency, PBOB staff will initiate contact. Employing agencies generally take from 75-90 days to file a complete claim. Eligible claims are paid within 2 weeks of receipt of full documentation; ineligible claims are processed within 4 weeks of being filed and documented. When a claim is denied, appeal instructions are provided to the claimant. Appeals are

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heard within 60 days of the claimant's request and decisions are rendered within 30 days of the official close of the appeal hearing. Hearing officer denials may be appealed to the Director of the Bureau of Justice Assistance. Once an appeal is heard by the agency and the denial affirmed, the claimant may appeal directly to the U.S. Claims Court. Claims entering the Federal court system may take from 6 months to 2 years or more to resolve, depending on how rapidly the court and the claimant's attorney respond to statutory and procedural requirements.

While death reports had been steadily decreasing, from 322 in 1989 to the lowest level of 204 in 1992, this trend leveled off in 1993 when 226 deaths were reported, an increase of 22 over 1992. This increase was due primarily to several incidents during which multiple deaths occurred. During 1994, death reports increased substantially again due to several incidents during which multiple deaths occurred -- 14 Federal firefighters killed fighting a Colorado forest fire; 2 Federal firefighters killed enroute to a New Mexico forest fire; and 3 DEA agents killed in an airplane crash in Peru. Aside from these 21 deaths resulting from these tragic incidents, death reports still appear to be increasing slightly. There were 262 deaths reported in 1994, and 270 in 1995. The 1995 figure includes the losses suffered in the Oklahoma City bombing.

Disability claims cannot be initiated until the disabled officer has been permanently separated from his or her public safety agency and has been awarded maximum workers' compensation benefits associated with the officer's permanent and total disability. After receipt of the foregoing prerequisite disability certification from the disabled officer's employer, PBOB staff officially initiate the disability claim. This "prerequisite" procedure prevents PBOB staff from being inundated with disability claims that do not meet the "total and permanent" PBOB disability requirement. Employing agencies generally take from 75-90 days to file a complete claim. Because medical reviews are needed on all disability claims, both eligible and ineligible claims are processed within 6 to 8 weeks of being filed and fully documented. Eligible claims are not paid until the end of the fiscal year. In the event more claims are received than funds are available to pay the full benefit amount. In such cases, the benefit payment to each officer must be reduced by a proportionate share in accordance with the Disability Program legislation. Ineligible claims may be appealed. It is expected that the same timeframes will apply for appeals in the Disability Program as are outlined above for the Death Benefits Program.

In light of the relatively recent establishment of the Disability Program, it is difficult to project the volume of disability claims that will be received. In 1992, 7 claims for disability benefits were initiated, 11 were initiated in 1993 and 6 were initiated in 1994. In 1995, 7 disability claims were initiated. Up to 15 disability claims are expected in 1996 and 1997. Inquiries are steadily increasing and a general awareness of the program has been growing throughout the nation and among public safety agencies.

The November 18, 1988, amendment to the Public Safety Officers' Benefits Act (Anti-Drug Abuse Act of 1988, P.L. 100-690) authorizes the use of up to \$150,000 of PBOB funds to establish national programs to assist the families of public safety officers who have died in the line of duty. Accordingly, Concerns of Police Survivors, Inc. (COPS) has received approximately \$150,000 each year since 1989 to carry out this Congressional mandate. It is

anticipated that \$150,000 will be provided to this organization in 1997. COFS is an organization that coordinates and directs a national network that responds with psychological and emotional support to families of public safety officers who have died in the line of duty. This network consists of families of deceased public safety officers who have come through that deeply traumatic experience to take up, once again, reasonably normal, productive lives. Each May 14-16, COFS conducts their annual National Survivor Family Conference in Washington, D.C., for law enforcement survivor families throughout the nation. This conference is held in conjunction with the National Law Enforcement Officers' Memorial Service on May 15 of each year. Beginning in 1996, COFS will also receive Byrne discretionary funds to update research on departmental readiness to handle line of duty deaths, develop case studies of fatalities to enhance officer safety training, and to conduct regional training sessions on line of duty deaths for law enforcement agencies.

PERFORMANCE MEASUREMENT TABLE: PRESENTED BY DECISION UNIT

NAME OF DECISION UNIT: Public Safety Officers' Benefits		PERFORMANCE TARGETS AND ACTUAL RESULTS					
Type of Indicator	Performance Indicators	1993		1994		1995	
		Actual	Target	Actual	Target	Actual	Target
Input	1. Number of claims initiated	326	340	242	340	270	350
	Death	11	15	6	15	7	15
	Disability	3	3	3	3	10	15
	2. Number of agency appeals requested	0	0	0	0	3	3
	Death	0	0	0	0	0	0
	Disability	3	3	1	3	0	3
Output/Activity	3. Number of court appeals initiated	0	0	0	0	0	0
	Death	0	0	0	0	0	0
	Disability	0	0	0	0	0	0
	4. Number of claims reviewed	316	340	341	340	319	350
	Death	12	15	8	15	11	15
	Disability	3	3	2	3	10	15
Intermediate Outcome	5. Number of agency appeals reviewed	0	0	0	0	3	3
	Death	0	0	0	0	0	0
	Disability	0	0	0	0	0	0
	6. Number of court appeals reviewed	0	0	0	0	0	0
	Death	0	0	0	0	0	0
	Disability	0	0	0	0	0	0
End Outcome	7. Percent eligible death claims within two weeks of filing filed and fully documented	100	240	213	240	148	250
	8. Percent eligible death claims within four weeks of filing filed and fully documented	100	30	37	30	21	35
	9. Percent eligible death claims within six weeks of filing filed and fully documented	11	6	6	11	4*	15
	10. Percent eligible death claims within 60 days of filing filed and fully documented	3	7	7	9	**	15
	11. Percent eligible death claims within 90 days of filing filed and fully documented	3	7	7	9	9	15
	12. Percent eligible death claims within 120 days of filing filed and fully documented	3	7	7	9	9	15
Efficiency	13. Number of claims closed	199	240	212	240	169	250
	Death	7	7	3	7	7	10
	Disability	7	7	3	7	7	10
	14. Number of agency appeals closed	0	0	0	0	0	0
	Death	0	0	0	0	0	0
	Disability	0	0	0	0	0	0
Productivity/Efficiency	15. Number of death and disability claims paid per year	199	240	212	240	148	250
	Death	7	7	3	7	7	10
	Disability	7	7	3	7	7	10

A. Definitions of Terms or Explanations for Indicators

<ul style="list-style-type: none"> • Five cases indicated have been reviewed at the program level and are awaiting medical review by the National Rehabilitation Hospital. These cases are being held at the request of claimants pending the outcome of an appeal hearing in a another case. • Appeal cases not heard were delayed by the need to train hearing officers and the partial absence of the Federal Government.
<p>B. Factors Affecting FY 94 Program Performance</p> <ul style="list-style-type: none"> • Number of death and disability claims received vary. • Claims received in a given Fiscal Year may not be paid until the following Fiscal Year. • The responsibility of a claimant to appear in a hearing varies with the POCB office and dependent. Once adjusted, the POCB office is required for closure of the claim.
<p>C. Factors Affecting Selection of FY 94 and FY Targets</p> <ul style="list-style-type: none"> • Targets for 1994 and 1997 are estimates. Number of death and disability claims received vary. • Claims in a given Fiscal Year may not be paid until the following Fiscal Year. • The responsibility of a claimant to appear in a hearing varies with the POCB office and dependent. Once adjusted, the POCB office is required for closure of the claim.

Office of Justice Programs
Public Safety Officers' Benefit
Summary of Change
(Dollars in thousands)

	Amount
1996 as enacted.....	
Adjustments to base:	
Increase:	
General pricing level adjustment.....	\$30,608
Decrease:	
1997 Base/Estimate.....	1,718
	32,326

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Justification of Adjustments to Base

Increases:		1,718
1. General Pricing Level Adjustment.....		
The public safety officer benefit payment is expected to rise from \$134,971 in 1996 to \$142,124 in 1997.		
Total increases.....		1,718
Total, adjustments to base.....		1,718

Office of Justice Programs
Public Safety Officers Benefits
Summary of Requirements by State and Capital Class
(Values in thousands)

Capital Class	1988 Actual PTB Amount	1988 Anticipated PTB Amount	1987 Request PTB Amount	Anticipated PTB Amount
11.1 Public Pension	-	-	-	-
11.2 Other Than Public Pension	-	-	-	-
11.3 Other Pension Compensation	-	-	-	-
11.4 Special Pension Service Years	0.0	0.0	0.0	0.0
11.5 Total	-	-	-	-
12 Pension Benefits	-	-	-	-
12.1 Benefits for Former Personnel	-	-	-	-
12.2 Travel and Transportation of Personnel	-	-	-	-
12.3 Transportation of Vehicles	-	-	-	-
12.4 Other Travel	-	-	-	-
12.5 Rental Payments to Officers	-	-	-	-
12.6 Compensation, Salaries, and Allowances	-	-	-	-
12.7 Clothing and Transportation	-	-	-	-
12.8 Other Expenses	0.1	0.1	-	0.1
12.9 Supplies and Materials	-	-	-	-
12.10 Training	-	-	-	-
12.11 Health, Retirement and Contributions	1.0	1.0	-	1.0
12.12 Insurance Claims and Indemnities	25.000	25.000	25.000	25.000
12.13 Total Obligations	26.100	26.100	25.000	26.100
12.14 Unobligated balance, end of year	-	-	-	-
12.15 Unobligated balance, beginning	0.000	0.000	-	-
12.16 Unobligated balance, end of year	0.000	0.000	-	-
12.17 Total Requirements	26.100	26.100	25.000	26.100
13.1 Reduction of Obligations to Capital	-	-	-	-
13.2 Total Obligations	26.100	26.100	25.000	26.100
13.3 Unobligated balance, end of year	1.000	0.0	-	-
13.4 Unobligated balance, beginning	0.000	0.000	-	-
13.5 Capital Class	24.100	24.100	-	24.100

Department of Justice
Office of Justice Programs
Crime Victims Fund
Estimates for Fiscal Year 1997
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Office of Justice Programs

Crime Victims Fund

Summary Statement

Fiscal Year 1997

The Crime Victims Fund was established by the Victims of Crime Act of 1984, as amended. The authorizing legislation provides for the deposit of Federal criminal fines, bond forfeitures, and penalty assessments into the Crime Victims Fund. There is no ceiling on sums that may be deposited into the Fund. The Administrative Office of the U.S. Courts receives the first \$3 million collected to be used for specified administrative costs to improve collection efforts. The remaining funds are used for five programs administered by the Office for Victims of Crime (OVOC): 1) grants to States for victim compensation programs (40% of the State's prior year expenditures for compensation benefits); 2) allocations to each State and select territories to fund eligible direct services crime victim assistance programs; 3) national scope training and/or technical assistance services to eligible crime victims assistance programs; 4) training and technical assistance to Federal law enforcement officers, prosecutors and victim/witness coordinators, and for the financial support of services to victims of Federal crime by eligible crime victim assistance programs; and 5) Children's Justice/Child Abuse Prevention and Treatment grants, a program administered by both the Department of Health and Human Services (HHS) and the Office for Victims of Crime. Legislation requires that \$10 million of available collections be made available for this purpose. OVOC retains 15% (\$1.5 million) of the \$10 million set-aside to implement Children's Justice Act (CJA) initiatives in Indian Country. In 1996, collections available to OVOC, for use in 1997, are expected to total \$508,540,000.

Office of Justice Programs
Crime Victims Fund
Summary of Receipts and Disbursements
(Dollars in thousands)

	1985	1986	1987
	Estimate	Estimate	Estimate
Receipts			
Unexpended balance, start of year			
Collection of deposits	\$186,091	\$233,907	\$511,540 **
Transfer to general fund receipts	233,907	511,540	176,533
Transfer to Administrative Office of U.S. Courts	(8,200)	(8,200)	(8,000)
Unexpended balance, end of year	(233,907)	(511,540)	(176,533)
Disbursements			
Recovery of prior year obligations	179,891	227,707	508,540 **
Unexpended balance available, start of year	1,128	---	---
Unexpended balance available, end of year	2,644	26,123	---
Unexpended balance, end of year	(28,123) a/	---	---
Unexpended balance, end of year	---	(2,250)	---
Unexpended balance, end of year	198,540	251,614	508,540 **
Obligations by Program			
Victims Compensation	64,532	83,983	241,782
Victims Assistance	78,760	127,420	241,782
U.S. Children's Justice	8,500	8,500	8,500
Children's Justice Native American	800	2,488	1,800
Federal Program	3,035	9,273	14,866
Reserve	---	20,000	---
Total Obligations	158,540	251,614	508,540 **

* Funds are obligated two years after they are collected.

** Numbers reflected do not agree with the President's Budget. A 1986 recently collected line of \$340,120,255 from a bank found guilty in a bond trading case is included.

a/ Includes \$20 million reserve established in 1985 and carried into 1986.

Office of Justice Programs
Crime Victims Fund
Program Performance Information
Government Performance and Results Act Requirements

MISSION: To enhance the nation's capacity to assist crime victims and provide leadership in changing attitudes and practices to promote justice and healing for all victims of crime.

ORGANIZATIONAL GOAL: Improve the criminal justice system response to victims of crime, including Native American crime victims, through the delivery of direct services and funding, training, and technical assistance, and through monitoring the implementation of these efforts:

1. Develop a National Crime Victims Agenda--an action plan for the future--working with constituency groups,
2. Develop and disseminate promising practices for everyone who provides services for crime victims,
3. Expand the National Victim Assistance Academy and other training efforts to help professionalize the field and improve the quality of services,
4. Provide training for and collaborate with Indian nations and federal agencies, including the FBI, the Department of Defense, U. S. Attorneys' offices, and Victim-Witness Coordinators to enhance services for crime victims,
5. Advocate for increased rights for victims, including within juvenile justice systems,
6. Provide direct services, including referrals and information, to crime victims to respond to their needs,
7. Enhance services to tribal and local communities by providing crisis response teams, expert trainers, and mentoring programs,
8. Expand collaboration with other agencies and the private sector, and
9. Improve the grant process, ensure constituency input, and increase training opportunities for VOCA state administrators and local programs.

Office of Justice Programs
Crime Victims Fund
Program Performance Information
(Dollars in thousands)

Crime Victims Fund	Amount
1996 Estimated Obligations	\$254,816
1997 Estimated Obligations	508,540
Increase	253,726

BRIEF PROGRAM DESCRIPTION: The Crime Victims Fund is financed by collections of fines, penalty assessments, and bond forfeitures from defendants convicted of Federal crimes. The Fund was established by the Victims of Crime Act of 1984 (P.L. 98-473), as amended by the Children's Justice and Assistance Act of 1986 (P.L. 99-401), and reauthorized by the Anti-Drug Abuse Act of 1988 (P.L. 100-690). Funds are not available for obligation during the year of collection; rather, funds accumulate so that the total amount is available for obligation in the next year and for expenditure during the next two years.

The Violent Crime Control and Law Enforcement Act of 1994 further amended the Victims of Crime Act, permitting the Director of the Office for Victims of Crime (OVC) to reserve up to \$20 million of funds collected when those collections exceed 110 percent of the amount collected in the previous year. The amount reserved may be used in any subsequent year when Fund deposits fall below the amount deposited in the previous year. Following extensive consultation with grantees and constituents, the Director reserved \$20 million in 1995. This reserve remained unobligated in 1995 but is estimated to be obligated in 1996.

Funds are targeted at five purposes and program areas:

- (1) Administrative Office of the U.S. Courts. The first \$3 million is available to the judicial branch for administrative costs to improve criminal debt collections;
- (2) Grants to States or Child Abuse efforts. Up to \$10 million shall be made available for grants to States to assist in developing, establishing, and operating programs designed to improve the handling of child abuse cases and the investigation and prosecution of cases of child abuse, particularly child sexual abuse. The 1988 amendments require that 15 percent of this amount shall be retained by OVC to conduct projects with similar purposes aimed at Native American Indian Tribes;

- (3) Crime Victim Compensation. Legislation sets aside 48.5 percent of the remaining deposits to be distributed to the States on the basis of 40 percent of each State's eligible victim compensation payouts during a preceding fiscal year (if available funds are sufficient);
- (4) Crime Victim Assistance. Another 48.5 percent of deposits are set aside for victim assistance grants, which are awarded to States for the purpose of providing services, other non-financial assistance, and limited emergency financial assistance to victims of crime. Priority must be given to eligible crime victim assistance programs that provide assistance to victims of sexual assault, spousal abuse, child abuse, and previously underserved victims of violent crime. Recipient organizations eligible for victim assistance funding include nonprofit organizations and agencies of State or local governments (or combinations of such entities) that provide services to victims of crime, including crisis intervention services, emergency aid, and assistance to victims participating in criminal justice proceedings; and
- (5) Training and Technical Assistance and Federal Victims Assistance. Legislation sets aside the remaining 3 percent of deposits for this purpose. At least one-half of the funds available for this purpose shall be for the financial support of services to victims of Federal crime.
- Management and Administration expenses for the Office for Victims of Crime (OVC) are included in the "Justice Assistance" appropriation.
- Current activities of OVC follow:

VICTIM COMPENSATION AND ASSISTANCE FORMULA GRANT PROGRAMS

In 1996, OVC awarded funds to 49 States, as well as the District of Columbia and the Virgin Islands, for Victim Compensation programs and 57 States and territories for Victim Assistance programs. During 1997, OVC expects to award funds to all 50 States, as well as the District of Columbia and the Virgin Islands, for Victim Compensation programs and 57 States and territories for Victim Assistance programs.

FEDERAL TRAINING AND TECHNICAL ASSISTANCE AND DIRECT SERVICES

Federal Prosecutors and Victim-Witness Personnel. In 1996, OVC will provide various training programs for federal prosecutors and Victim-Witness Coordinators. In March 1996, OVC co-sponsored the National Symposium on Child Sexual Abuse in Huntsville, Alabama, and sent teams of federal criminal justice personnel to attend the training.

In 1996, OVC also supported federal district-specific training conferences and seminars involving federal victims' rights issues and compliance with the 1995 Attorney General Guidelines for Victim and Witness Assistance. Through an interagency agreement with BOUSA, OVC supported an automated victim assistance case-tracking and notification system to develop, test and use a specialized computer program that tracks victim, defendant, case and service agency information. OVC also supported a "victim rights and legal issues" instructor position at the Office of Legal Education (OLE) to draft litigation series chapters and course material and present classroom instruction to federal prosecutors, including U.S. Attorneys, and paralegals on federal victims' rights legislation, case law and policy, and prosecutors' duties and responsibilities to federal crime victims. OVC also provided travel-related expenses for Victim-Witness Coordinators and/or federal prosecutors to attend conferences such as the annual National Organization for Victim Assistance (NOVA) convention, Huntsville symposium, and Indian Nations conference.

National Victim Assistance Academy. In 1996, OVC will continue to support a National Victim Assistance Academy for the purpose of providing basic and advanced victim assistance training. The Academy offers specialized training topics related to meeting the needs of crime victims for victim service providers and criminal justice personnel at the local, tribal, state, and federal levels.

Promising Strategies and Practices to Improve Services for White-Collar Crime Victims. Three written products and a 15-20 minute videotape will be developed and printed for inclusion in a victim assistance resource package. The packages will be distributed to federal criminal justice personnel as a comprehensive tool to assist federal victims of white-collar crime and fraud.

Direct Services. In 1996, OVC allotted \$75,000 to the Executive Office for U.S. Attorneys (EOUSA) to provide emergency services to federal victims when no other services exist. In addition, to assist the victims of the Oklahoma city bombing to attend judicial proceedings in Denver, OVC has allocated \$100,000 for 1996 and \$100,000 for 1997. An interagency agreement with the U.S. Parole Commission provided funding for a Victim-Witness Coordinator position to provide services at parole revocation hearings and to coordinate notification programs with the Federal Bureau of Prisons.

In 1996, under a direct services grant program entitled "Victim Assistance to Victims of Crime in Indian Country," OVC made grants to 19 states to continue the support of programs to provide direct services on Indian reservations. Under this program, grants are awarded to states who make subgrants to tribes. In addition, OVC made direct grants to two tribes (Laguna Pueblo and Northern Cheyenne) to support the Attorney General's tribal initiative. In 1996, OVC also funded grants to: (1) support a national conference on victim assistance in Indian Country; (2) develop and provide training on the cross-cultural needs of Native American crime victims; (3) provide technical assistance to Indian victim assistance programs; and (4) to respond to requests for training or technical assistance from communities dealing with major crises involving multiple victims.

Federal Criminal Justice Agencies. In 1996, through interagency agreements, OVC funded the Federal Law Enforcement Training Center (FLETC) to train federal law enforcement officers in the delivery of services to victims of crime. FLETC trains officers from over 70 agencies in basic and advanced classes. OVC also provided funding to the FBI to train FBI Victim-Witness Coordinators, fund a full time trainer at the FBI Academy, and to provide two pilot victim-witness programs in FBI field offices. OVC also reserved funds to respond to specialized requests from other federal agencies.

OVC continued several projects: (1) Bias Crime Train-the-Trainer provided regional train-the-trainer conferences for law enforcement and victim assistance professionals using a format developed under a previous OVC grant; and (2) Child Sexual Exploitation: Improving Investigations and Protecting Victims continued a joint OVC/Office of Juvenile Justice and Delinquency Prevention project to link criminal justice personnel across jurisdictional boundaries and to sources of victim assistance when sexually exploited children or youth are identified.

Assistance to Victims of Federal Crime in Indian Country. OVC will continue funding this project for all participating States in 1997 and for four new States -- Colorado, Iowa, Mississippi and Oklahoma. Additionally, OVC will continue discretionary grant programs to support the development of programs to assist Federal victims of crime in Indian country. Under this program, grants are awarded to 19 States to provide victim assistance services on Indian reservations. In 1996, the States subgranted these Federal funds to 52 Indian tribes or tribal organizations that have initiated, expanded, or improved "on-reservation" services for violent crime victims.

CHILDREN'S JUSTICE AND ASSISTANCE ACT PROGRAM

Grants to Tribes. In 1989, OVC funded its first Children's Justice Act (CJA) grants for Native Americans. The purpose of the CJA grant program is to assist Federally recognized Indian tribes to improve the investigation, prosecution, and handling of child abuse cases in a way that lessens trauma to the child victims. These grants are resulting in a range of systemic improvements that include: training for multidisciplinary teams; revision of tribal codes to address child abuse; child advocacy services for children involved in the court process; protocols for reporting, investigating, prosecuting, and treating child sexual abuse cases; and improved case management and treatment services. Since 1990, two training and technical assistance grants have been awarded to Native American nonprofit organizations to provide regional training and on-site consultation to Indian tribes that received subgrants or grants to develop crime victim assistance services or improve their responses to serious cases of child abuse, especially child sexual abuse. In 1997, OVC will award 15-18 new and/or continuation grants to develop programs that can be replicated in Indian Country.

Training and Technical Assistance for Native American Children's Justice Act Grantees. This program will continue support for a grant awarded to the National Indian Justice Center (NIJC) in 1997 to provide comprehensive, skills-building training and technical assistance to Indian tribes and organizations that were awarded grants as part of the Children's Justice Act Discretionary Grant Program for Native Americans (CJA). This grant also supported the development and production of a ten-minute video for tribal leaders that explains the importance of a coordinated effort among tribal agencies in implementing the CJA program. Children's Justice Act (CJA) grants are to be made directly to Indian tribes to improve the investigation, prosecution and handling of cases of child abuse, particularly child sexual abuse, training and technical assistance programs are planned to assist victim assistance in Indian Country subgrantees and CJA grantees to establish "on reservation" services and train personnel.

Court Appointed Special Advocates (CASA) in Indian Country. OVC will support the development of CASA programs in Indian Country so that tribal courts funded through this program will be able to assign advocates to represent the best interests of children. This program is especially important in Indian Country since a tribal court may serve as a Native American child's only recourse to protection and justice. OVC will provide funds and cosponsor with the Office of Juvenile Justice and Delinquency Prevention (OJJDP) an award to the National CASA Association for the purpose of supporting child advocacy programs in Indian Country. In 1997, \$50,000 will be used to support the establishment of two tribal CASA programs.

Tribal Judges Project. OVC will work with the Federal Judicial Center and other DOJ components to identify a range of training and technical assistance strategies or projects that will assist tribes to improve the handling of child abuse and family violence. In 1997, \$50,000 will be used to support training and technical assistance for federally-recognized tribes participating in DOJ projects or grant programs directed to improving tribal systems of justice and the handling of child and spouse abuse cases.

NATIONAL SCOPE TRAINING AND TECHNICAL ASSISTANCE AND INFORMATION DISSEMINATION

In 1996, ten projects have been funded to catalog and promote the use of promising practices in serving crime victims. These include projects that focus on all components of the criminal justice system, from first responder law enforcement strategies to post-conviction probation and parole supervision, as well as professional education programs training those who will work with crime victims. OVC funds discretionary programs to provide training and technical assistance to service providers who interact with crime victims. These professionals include law enforcement, prosecutors, judges, probation and parole officers, and corrections officials who work within state and Federal criminal justice systems. They also include mental health professionals, doctors and nurses, the clergy, and others who regularly work with crime victims.

OVC supports flexible training and technical assistance resources that offer customized services to agencies on request through its Trainers Bureau, as well as regional and national training events on special topics of interest to those who provide services to crime victims through the State Conference Training Initiative grant program.

OVC funded a Community Policing Project in 1995 which will produce model victim assistance policies and procedures, a training curriculum, video tapes designed for roll call training and on-site training with four different police departments. The outcome of the training is improved police policies and better communications with crime victim and the community.

In 1996, OVC will complete and disseminate a document updating the 1982 Final Report issued by the President's Task Force on Victims of Crime to serve as a guide for long-term action to improve victims' rights and services. OVC continues to collaborate with other agencies on topics of common concern. For example, in 1996 and 1997, OVC and OJJDP have jointly sponsored three youth-related grants, which focus on children and adolescents as victims and potential victims, promoting the rights of and services for victims of juvenile offenders, and educating offenders on the impact of crime and victims. Another area of programmatic emphasis has been on crimes against the elderly, where OVC has collaborated with HHS's Administration on Aging, law enforcement associations, and senior citizen organizations. The result of this grant has been the establishment of 252 TRIAD programs which bring together law enforcement, adult protective and social services agencies to increase services available to elderly crime victims. Workplace violence has been still another 1996 substantive focus of cooperative projects, and in both, 1995 and 1996, OVC has worked with the Bureau of Justice Assistance to assist communities and institutions in developing crisis response teams through the Immediate Response to Emerging Issues program, and with a number of other agencies, including HHS, the Department of Labor, and the U.S. Postal Service, to host a symposium on general workplace violence issues. A new initiative in 1996, is the Regional Field Coordination Initiative, that was launched to build networks and support joint activities on a regional basis with public and private organizations.

In 1996 OVC will initiate "Victim Services 2000," a program that will support a community in establishing a comprehensive and victim-centered program that employs "promising practices." The first phase will entail planning, the second phase will be the construction of a program where promising practices, policies, and procedures provide support for crime victims. Each funded site will eventually become a training site for other communities wishing to create a comprehensive program that coordinates services across jurisdictions and interests in given communities.

In 1996 and 1997, funding has been allocated for the on-going operation of the clearinghouse function through the OVC Resource Center to support the coordination and dissemination of information, particularly products developed with discretionary funding.

PROGRAM CHARGES:**Crime Victims Fund**Amount
\$253,736

The Victims of Crime Act program is funded by collections of fines, penalty assessments, and bond forfeitures from defendants convicted of Federal crimes. Collections available to the Crime Victims Fund are \$250,907,236 in 1995 for obligation in 1996. These collections, plus \$23,906,612 carried over from 1995 will provide a total of \$274,813,848 for the 1996 program. Although collections in 1995 were unusually high, collections in 1996 are expected to more than double the amount collected in 1995. 1996 collections are unique in that one Federal criminal fine of \$340,129,205 was recently collected in 1996 from a bank found guilty in a bond trading case. We hope, in particular, to target help with these additional funds to the victims of youth and gang violence across the country.

PERFORMANCE MEASUREMENT TABLE: PRESENTED BY DECISION UNIT

Crime Victims Fund		PERFORMANCE TARGETS AND ACTUAL RESULTS									
PERFORMANCE INDICATOR INFORMATION											
Type of Indicator	Performance Indicators	1993 Actual	1994 Actual	1995 Target	1995 Actual	1996 Target	1997 Target				
Input	1. Number of requests for assistance (for victims of crime in Indian Country). 2. Number of VOCA formula grant applications received (by the deadline). 3. Number of state requests for training and technical assistance support. 4. Number of promising practices, guides, bulletins, and descriptions of model programs published.	50 106 0	54 106 0	54 107 15	62 107 20	50 108 30	50 108 45				
Output/Activity	5. Number of requests for and subsequent dissemination of published materials related to promising practices. 6. Number of on-site monitoring visits to states and tribes (includes on-site monitoring visits to tribes re: implementation of Children's Justice Act). 7. Number of state VOCA administrators, staff, and subrecipients afforded opportunity to participate in state, regional, and national training conferences related to crime victim services. 8. Number of working groups convened to address VOCA program implementation and delivery of services.	21 (state); 11(tribes)	3 (state); 13(tribes)	10 (state); 9(tribes)	0 (state); 5(tribes)	1,000 (state); 17(tribes)	3,000 (state); 18(tribes)				
Intermediate Outcome	9. Number of untrained, multi-disciplinary team personnel trained in victim issues. 10. Number of personnel trained in cross cultural skills. 11. Number of untrained federal criminal justice personnel trained in victim issues. 12. Number of tribal personnel trained in improved investigative, prosecutorial and child advocacy issues.	0 220 0	3 240 3	5 240 5	3 2117 3	8 1500 8	8 1500 8				
		550 150	700 150	1000 150	1150 150	1500 150	1800 150				

End Outcome	13. Number of promising practices adopted by corrections agencies. 14. Percent of published materials rated as good or excellent. 15. Number of tribes operating effective Children's Justice Act programs without federal funding. 16. Number of state VOCA programs that receive technical assistance on use of automated systems to serve crime victims: - Victim Compensation - Victim Assistance	4 5 26 N/A			4 6 10 N/A	10 90% 10 50 10
Predictability/ Efficiency	17. Percent of published best practices materials available to users on-line. 18. Number of state application kits distributed by OVC in the first quarter of the fiscal year. 19. Number of CJA applications approved by OVC within 45 day review period.	0 7	0 10	0 10	107 12	90% 107 10

A. Definitions of Terms or Explanations for Indicators: Clarify potentially confusing terms. Assume a low level of familiarity with your programs.

- Promising victim assistance corrections practices include victim impact panels, notification, restitution, staff victimization, staff assigned to assist crime victims.
- OVC initiated the Victim Assistance in Indian Country program in 1987 to establish a network of "on-reservation" victim assistance programs in areas of Indian Country so that services normally available in towns and cities across America would also be available to crime victims in remote sections of Indian Country. Grants are awarded to state agencies to make subgrants to Indian tribes or Native American Organizations on land areas of federal jurisdiction.
- OVC continued funding for all participating states in FY 1993 and for four new states in 1996 through 1997. OVC also is exploring alternative strategies for supporting the program and will seek information from these programs and others.
- Federal criminal justice personnel include law enforcement officers, prosecutors, victim-witness coordinators, judges, and corrections officers.

<p>B. Factors Affecting FY 95 Program Performance. Describe reasons for any significant differences between target levels of performance and estimates of actual performance, whether positive or negative.</p>	<ul style="list-style-type: none"> • Unavailability of local funding to replicate promising practices and administrative funds to support publications review panels. • Expanded training and technical assistance resources will be available for state Victims of Crime Act (VOCA) administrators in FY 1995, including national and regional training conferences. • Funding available through VOCA and the allocation of funds to support federal training and technical assistance efforts. • Emphasis placed by agency officials on participating in training and technical assistance. • CIA applications were processed within 45 days; however, the grant award process which occurred in FY 1996 was delayed by the furlough.
<p>C. Factors Affecting Selection of FY 96 and 97 Targets. Provide information on the selection of target levels of performance, where necessary.</p>	<ul style="list-style-type: none"> • Collections available in Crime Victims Fund determine continuity of goals and objectives. • Funding levels provided to tribes by other agencies -- Emphasis placed by tribal leaders on victim issues where federal funding is reduced; • Emphasis placed by other agencies on collaborating funding and programs. • Revision of on-site monitoring protocols should enable OVC to identify training and technical assistance priorities of state administrators. • OVC will increase the number of working groups convened resulting in the development of improved data collection instruments. • Availability of discretionary funding in support of regional and state conferences, training and technical assistance initiatives, based on total collections. • Funding available through VOCA. • Allocation of funds to support training initiatives. • Emphasis placed by agencies on supporting training and technical assistance for victim services.

Office of Justice Programs

Crime Victims Fund

Status of Congressionally Requested
Studies, Reports, and Evaluations

Section 1407(g) of the Victims of Crime Act of 1984, as amended, requires that the Director of the Office for Victims of Crime shall on December 31, 1990, and on June 30 every two years thereafter, report to the President and to the Congress on the revenue derived from each source described in section 1402 and on the effectiveness of the activities supported under this chapter. The Director may include in such report recommendations for legislation to improve this chapter. The report is due June 1996 and is expected to be submitted on time.

Office of Justice Programs
Crime Victims Fund
Summary of Requirements by Grade and Object Class
(Dollars in thousands)

Object Class	1986 Actual		1986 Anticipated		1987 Request		Increase/Decrease	
	PTI	Amount	PTI	Amount	PTI	Amount	PTI	Amount
11.1 Full-Time Permanent.....	—	—	—	—	—	—	—	—
11.2 Other Than Full-Time.....	—	—	—	—	—	—	—	—
11.5 Other Personnel Compensation.....	—	—	—	—	—	—	—	—
11.8 Special Personnel Services Payable.....	0.0	0	0.0	0	0.0	0	0.0	0
Total.....	—	—	—	—	—	—	—	—
Other Objects								
12 Personnel Benefits.....	—	—	—	—	—	—	—	—
13 Benefits for Former Personnel.....	—	—	—	—	—	—	—	—
21 Travel and Transportation of Persons.....	—	112	—	113	—	113	—	0
22 Transportation of Things.....	—	—	—	—	—	—	—	—
23.1 GSA Rent.....	—	—	—	—	—	—	—	—
23.2 Rental Payments to Others.....	—	—	—	—	—	—	—	—
23.3 Communications, Utilities, and Mail.....	—	17	—	17	—	17	—	—
24 Printing and Reproduction.....	—	28	—	28	—	28	—	—
25.2 Other Services.....	—	174	—	180	—	180	—	—
25.3 Purchases of Goods and Services	—	—	—	—	—	—	—	—
from Government Accounts	—	499	—	520	—	520	—	—
28 Supplies and Materials.....	—	—	—	—	—	—	—	—
31 Equipment.....	—	7	—	—	—	—	—	—
41 Grants, Subsidies and Contributions.....	—	158,703	—	250,756	—	507,452	—	246,228
Total Obligations.....	—	158,640	—	251,614	—	508,640*	—	246,228
Recovery of prior year obligations.....	—	(1,120)	—	—	—	—	—	—
Unobligated balance, start of year.....	—	(2,547)	—	—	—	—	—	—
Unobligated balance, end of year.....	—	26,123	—	26,123	—	—	—	—
Unobligated balance lapsing.....	—	—	—	—	—	—	—	—
Total Requirements.....	—	174,891	—	277,737	—	534,640*	—	—
Reconciliation of Obligations to Outlays:								
Total Obligations.....	—	158,640	—	251,614	—	508,640	—	—
Obligated balance, start of year.....	—	127,208	—	144,826	—	194,795	—	—
Obligated balance, end of year.....	—	(144,826)	—	(194,795)	—	(240,465)	—	—
Adjustments in expired accounts.....	—	(1,120)	—	—	—	—	—	—
Outlays.....	—	132,892	—	251,614	—	353,870	—	—

* Numbers reflected do not agree with the President's Budget. A 1986 recently collected line of \$340,120,208 from a bank found guilty in a bond trading case is included.